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PERFORMANCE WORK STATEMENT CONTRACT EP-C-11-009 WORK ASSIGNMENT 5-11

Title: Technical Support for Pesticide and Forest Roads NPDES Programs

EPA Work Assignment Contracting Officer's Representative (WACOR) and Alternate Work Assignment Contracting Officer's Representative (Alternate WACOR):

WACOR: Alternate WACOR:

Prasad Chumble (4203M)
Water Permits Division
Office of Wastewater Management
U.S. Environmental Protection Agency
Washington, D.C. 20004
202-564-0021

Jennifer Chan
Water Permits Division
Office of Wastewater Management
U.S. Environmental Protection Agency
Washington, D.C. 20004
202-564-3067

Period of Performance: January 1, 2016 through June 30, 2016

Scope of Work:

The administrative and technical tasks provided by the contractor under this work assignment shall support EPA's Pesticide and Forest Road NPDES Programs. The contractor will not be involved in Agency policy or decision making. If necessary, more specific details concerning tasks outlined below will be provided to the contractor through written technical directives in accordance with technical direction clause of the contract.

Task 1: Pesticides and Forest Roads NPDES Website Content Support

The contractor shall provide support in developing new content or web page(s) for specific NPDES program areas, as requested, through technical direction by the EPA WACOR. The contractor support may include, but is not limited to, writing introductory content, editing existing content, reviewing content, identifying links, preparing new material, or providing recommendations to reorganize content. The contractor will be provided with more specific guidance and instruction on specific support tasks as appropriate. The contractor shall provide an LOE estimate for approval to the EPA WACOR before moving forward with the request.

The contractor will be provided with guidance and further instruction on how to update the website as needed. The contractor shall provide to the EPA WACOR technical information and feedback on any issues that may arise during the web content support activities.

Deliverables: The development of new web content or web page(s) for specific NPDES program areas, as directed by the EPA WACOR. The "Recent Addition" sections shall be updated with new information. The contractor shall respond to requests from the EPA WACOR for support of new,

edited or revised content within 3 business days either with a written response or with a level of effort to complete the request.

TASK 2: Support Training Webinars for NPDES Pesticides and Forest Roads.

The contractor shall provide support for NPDES pesticides and forest roads training webinars. The contractor shall support conducting and archiving of webcasts on various program areas. For planning purposes, the contractor shall assume 1 webinar, approximately 2 hours in length.

Deliverables: The contractor will be responsible for providing staff support for the following items:

- Set up call date, identify necessary equipment and assist EPA in making appropriate reservations for webinar.
- Work with EPA to get the Announcement for the webinar posted on an EPA webpage.
- Assist EPA in Notifications/Advertisement of Webinar.
- Work with EPA to finalize slides and arrange for recording and archiving of the webinar on an EPA webpage.
- Support for EPA in archiving webinars in a file format consistent with posting on EPA's webpages in Drupal (e.g., OneEPA Web YouTube requirements).
- Assist in setting up and managing enrollment for the webinar using the appropriate designated EPA platform (e.g., EventBrite), support for managing registration of participants and providing webinar logistics.

Task 3: EPA Pesticide Permit Support

Subtask 3A: 2016 Pesticide General Permit Development Support

The Contractor shall support EPA's general permit development to include activities as may be necessary for any permit modifications to the current 2011 PGP. This may include drafting modified permit and fact sheet language, revising permit forms, updating the economic analysis and the ICR, revising the biological evaluation, participating in workgroup conference calls, preparing agendas and summaries for those calls, creating and updating schedules, compiling an administrative record, and preparing issue papers and guidance based on discussions with the EPA WACOR. EPA plans to issue the final 2016 PGP by October 31, 2016.

The contractor shall support EPA's response to comments on any draft modifications. This effort includes maintaining the comment response database, providing database access for EPA staff for data entry and review, grouping comments according to issue area and type of commenter, coding any additional or remaining public comments. The EPA WACOR may task the contractor with developing preliminary responses to certain technical comments received and for loading EPA-generated responses into the comment database. Also, the contractor shall prepare a final comment response summary document within one week of the EPA WACOR's determination that all comments have been entered and final responses provided. EPA plans to public notice the draft 2016 PGP in January, 2016 for 45 days.

The contractor also shall support EPA with any analyses of implementation issues associated with the use of general permits for controlling discharges. Support shall focus on such issues as the relationship of general permits to TMDLs, impaired waters, water quality standards, best available technology control practices, monitoring, and compliance and enforcement activities and permittee responsibilities as those activities relate to issuance of an NPDES permit.

Deliverables: Unless otherwise specified through technical direction, any draft permit or fact sheet modifications are due within two weeks of a request. Draft responses to comments are due within two weeks of EPA identifying for the contractor specific comments to be addressed. Provide a final comment response document within one week of the EPA WACOR's determination that all comments have been addressed and final responses provided. Other specific deliverables under this task will be identified under technical direction from the EPA WACOR.

Subtask 3B: State NPDES Pesticide Programs

The contractor shall support EPA in overseeing state administered NPDES pesticide general permits and associated state regulations and program procedures. Additionally, EPA may task the contractor to provide revised permit quality review checklist, based on the existing EPA permit quality review checklists, for use in reviewing state issued general permits.

Deliverables: The contractor shall submit a draft compilation within three weeks after technical direction from the WACOR and a final summary within two weeks of WACOR comments on the draft summary. Other specific deliverables under this task will be identified under technical direction from the EPA WACOR.

Subtask 3C: 2011 PGP- Notice of Intent & Annual Reporting Data Analysis

The contractor shall prepare a document summarizing data collected from the 2015 PGP Notice of Intent (NOI) and Annual Reports. The summary shall include but is not limited to the following: breakdown of the total number of new permittees; types of permittees; types of use patterns; number of pest management areas; number and size of treatment areas; and name, amount and EPA registration number of pesticides use.

The contractor shall also prepare a map which geographically highlights the location of NOI and Annual Report filers.

Deliverables: The contractor shall prepare a summary document and maps from the 2015 PGP NOI and Annual Reports. The contractor shall submit a draft compilation within three weeks after technical direction from the WACOR and a final summary within two weeks of WACOR comments on the draft summary. Other specific deliverables under this task will be identified under technical direction from the EPA WACOR.

Subtask 3D: Support ESA Obligations under the Requirements of the Endangered Species Act

The contractor shall support EPA's ESA consultation under Section 402.14(c) of the ESA regulations. EPA may request additional support specific to ESA requirements, such as working with

the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) (together, the Services) to develop the Biological Evaluation document and to complete consultation on EPA's 2016 PGP. EPA will request assistance under specific technical direction. This may include participating in meetings and conference calls, support drafting NPDES permit options and rationale, reviewing and providing comments on FWS/NMFS developed materials, gather and analyzing monitoring data on water quality and pesticides, and drafting correspondence letters between the Agency and the Services.

Details and timeframes for additional deliverables will be through EPA WACOR technical direction.

Deliverables:

- A revised draft final biological assessment shall be developed and submitted to the WACOR for EPA review within three weeks after receiving EPA comments. The contractor should expect one additional round of comments on the revised draft final document with revisions due within two weeks of receiving comments. The contractor may request different due dates for responding to comments based on demonstrated need.
- Details and timeframes for additional deliverables will be through EPA WACOR technical direction.

TASK 4: Forest Roads NPDES Support

On November 10, 2015 EPA published, in the **Federal Register** (80 FR 69653), a request for information and comments on existing public and private sector programs that address stormwater discharges from forest roads. This information will assist EPA in responding to the remand in *Environmental Defense Center, Inc. v. U.S. EPA*, 344 F.2d 832 (9th Cir. 2003) that requires EPA to consider whether the Clean Water Act requires the Agency to regulate forest roads. After considering comments and information received, EPA will publish an additional notice on or before May 26, 2016, with its determination as to whether stormwater discharges from forest roads are required to be regulated under Clean Water Act section 402(p)(6).

The Contractor shall support EPA's Forest Roads Determination Notice development and issuance. This may include gathering data on state, tribal and federal forest road programs, drafting notice language, participating in workgroup conference calls, preparing agendas and summaries for those calls, creating and updating schedules, compiling an administrative record, and preparing issue papers and guidance documents based on discussions with the EPA WACOR. EPA plans to issue the final notice by May 26 of 2016.

The contractor shall support EPA's response to comments on any draft modifications. This effort includes maintaining the comment response database, providing database access for EPA staff for data entry and review, grouping comments according to issue area and type of commenter, coding any additional or remaining public comments.

Deliverables: Unless otherwise specified through technical direction, any draft notice modifications are due within two weeks of a request. Other specific deliverables under this task will be identified

under technical direction from the EPA WACOR.

Quality Assurance Project Plan

A quality assurance project plan (QAPP) is not required for Tasks 1 and 2 of this project because they do not involve the generation, management, distribution, or use of primary environmental data that will be used or have the potential for use in environmental decision making.

An incremental QAPP may be needed for Tasks, 3A, 3B, 3C, 3D, and 4, as the data needs become known during the period of the WA. If a QAPP is necessary, work on this task will not start until a QAPP is received and approved by EPA.

Deliverables: Before preparing a QAPP the contractor should meet with the WACOR and QA coordinator to discuss developing the QAPP. The contractor's monthly progress reports should (a) describe the contractor's progress on implementing the QAPP and resolving old data quality issues, (b) describe any new issues, and (c) provide the LOE and cost expenditures for developing the QAPP.

Level of Effort

The EPA estimated level of effort for this work assignment is 1147 hours.

Requirements

Reporting

Reports shall be submitted in accordance with the reporting requirements of the contract. In addition, the contractor shall maintain bi-weekly telephone contact with the EPA WACOR to advice of progress and problems. All documents shall be delivered in the word processing format compatible with EPA, HTML, and/or PDF format, as requested by the WACOR. The contractor shall notify the EPA WACOR immediately when expenditures of 75% and 90% of the work assignment LOE or funding (including pipeline costs) are reached.

The contractor shall be prepared to submit for inspection copies of all work in progress any time as directed by the WACOR. The contractor shall not release information or comments on works performed under this work assignment without the WACOR's prior written authorization. Wherever practicable, all written materials submitted to EPA must be doubled-sided and on recycled paper. All computer disks submitted to the EPA WACOR shall be scanned for, and identified as free from viruses.

Unless directed otherwise, the contractor shall submit drafts and final products in electronic format compatible with Water Permits Division hardware and software.

Information Collection

All collection of information and data shall be in accordance with the Office of Water Quality

Management Plan and OMB requirements under the Paperwork Reduction Act.

CONFERENCE/MEETING GUIDELINES AND LIMITATIONS

The contractor shall immediately alert the EPA WACOR to any anticipated event under the work assignment which may result in incurring an estimated \$20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The EPA WACOR will then prepare approval internal paperwork for the event and will advise the contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

Surveillance Plan

The following performance measures will apply to work under this work assignment:

Performance Requirement	Measurable Performance Standards	Surveillance Methods	Incentives/Disincentives	
Management and Communications: During the performance of the Contract, the Contractor shall immediately inform EPA of any issue that may potentially impact project schedules or cost.	The Contractor shall maintain contact with contract managers (EPA CO, Contract-Level Contracting Officer's Representative (CL-COR) and WACOR) throughout the performance of the contract and identify any issues or concerns to the appropriate EPA contract manager prior to occurrence. In cases where issues have a direct impact on project schedules and cost, the contractor shall provide options for EPA's consideration on resolving or mitigating the impacts.	EPA contract managers will allocate the time needed to discuss and address all issues identified by the Contractor. Each EPA contract manager will document and maintain a complete record of the issues, agreements and outcome. All EPA contract managers will review monthly progress reports for indicators of communications problems and will bring issues to the Contractor*s immediate attention.	Any issues that impact project schedules and cost that are not brought to the attention of the appropriate EPA contract manager before occurrence will be unsatisfactory. Two or more incidents during any contract option period will be reported as unsatisfactory performance in the NIH Performance Evaluation System.	
Cost Management and Control: The Contractor shall perform all work in an efficient and cost effective manner, applying cost control measures where practical. The Contractor shall monitor, track and accurately report level of effort, labor cost, other direct cost and fee expenditures to EPA through monthly progress reports and approved special reporting requirements. The Contractor shall monitor, track and accurately report level of effort, labor cost, other direct cost and fee expenditures to EPA through monthly progress reports and approved special reporting requirements. The Contractor shall monitor, track and accurately report level of effort, labor cost, other direct cost and fee expenditures to EPA through monthly progress reports and approved special reporting requirements.		The EPA CL-COR will routinely meet with the Contractor's Project Manager to discuss the work progress and contract and individual work assignment level expenditures. The CL-COR shall review the Contractor's monthly progress reports and request the WACOR's verification of expenditures and technical progress before authorizing invoice payments. The EPA WACOR will maintain regular contact with the Contractor's designated work assignment manager /project manager to discuss work assignment progress and expenditure. The WACOR will review the Contractor's monthly progress report and invoice and provide feedback to the CL-COR on payment.	An overrun that exceeds 4% of the total contract obligation that is the direct result of the Contractors failure to manage and control cost will result in an unsatisfactory rating being reported to the NIH Performance System.	
Technical Analyses: The Contractor shall collect and analyze data in support of the Agency decision- making.	The analyses conducted by the contractor shall be factual and defensible and based on sound science and engineering. All data shall be collected from reputable sources and quality assurance measures shall be conducted in accordance with agency requirements and any additional requirements outlined in individual work assignments. Any work requiring the contractor provided options or recommendations shall include the rationale use in selecting the option/recommendation and all other options considered.	The appropriate Contract Managers will review all analyses conducted by the Contractor and will independently consider the merit. EPA may opt to peer review analyses to further validate merit.	All analyses conducted for EPA by the Contractor must be factual and based on sound science and engineering. If after reviewing the Contractor's analysis, EPA determines that the content is not factual, legally defensible or based on sound science and engineering, The Contractor's performance will be reported as unsatisfactory in the NIH Contractor Performance System.	

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PERFORMANCE WORK STATEMENT WORK ASSIGNMENT 5-11 CONTRACT EP-C-11-009 AMENDMENT 1

Title: Technical Support for Pesticide and Forest Roads NPDES Programs

Work Assignment Contracting Officer's Representative (WACOR):

Prasad Chumble (4203M)
Water Permits Division
Office of Wastewater Management
U.S. Environmental Protection Agency
Washington, D.C. 20004
202-564-0021
chumble.prasad@epa.gov

Alternate Work Assignment Contracting Officer's Representative (AWACOR):

Jennifer Chan
Water Permits Division
Office of Wastewater Management
U.S. Environmental Protection Agency
Washington, D.C. 20004
202-564-3067
chan.jennifer@epa.gov

Period of Performance: June 15, 2016 through June 30, 2016

Tasks:

The administrative and technical tasks provided by the contractor under this work assignment shall support EPA's Pesticide and Forest Road NPDES Programs. The contractor will not be involved in Agency policy or decision making. If necessary, more specific details concerning tasks outlined below will be provided to the contractor through written technical directives in accordance with technical direction clause of the contract.

Task 1: Pesticides and Forest Roads NPDES Website Content Support

The contractor shall provide support in developing new content or web page(s) for specific NPDES program areas, as requested, through technical direction by the EPA WACOR. The contractor support may include, but is not limited to, writing introductory content, editing existing content, reviewing content, identifying links, preparing new material, or providing recommendations to reorganize content. The contractor will be provided with more specific guidance and instruction on specific support tasks as appropriate. The contractor shall provide an LOE estimate for approval to

the EPA WACOR before moving forward with the request.

The contractor will be provided with guidance and further instruction on how to update the website as needed. The contractor shall provide to the EPA WACOR technical information and feedback on any issues that may arise during the web content support activities.

Deliverables: The development of new web content or web page(s) for specific NPDES program areas, as directed by the EPA WACOR. The "Recent Addition" sections shall be updated with new information. The contractor shall respond to requests from the EPA WACOR for support of new, edited or revised content within 3 business days either with a written response or with a level of effort to complete the request.

Task 2: Support Training Webinars for NPDES Pesticides and Forest Roads.

The contractor shall provide support for NPDES pesticides and forest roads training webinars. The contractor shall support conducting and archiving of webcasts on various program areas. For planning purposes, the contractor shall assume 1 webinar, approximately 2 hours in length.

Deliverables: The contractor will be responsible for providing staff support for the following items:

- Set up call date, identify necessary equipment and assist EPA in making appropriate reservations for webinar.
- Work with EPA to get the Announcement for the webinar posted on an EPA webpage.
- Assist EPA in Notifications/Advertisement of Webinar.
- Work with EPA to finalize slides and arrange for recording and archiving of the webinar on an EPA webpage.
- Support for EPA in archiving webinars in a file format consistent with posting on EPA's webpages in Drupal (e.g., OneEPA Web YouTube requirements).
- Assist in setting up and managing enrollment for the webinar using the appropriate designated EPA platform (e.g., EventBrite), support for managing registration of participants and providing webinar logistics.

Task 3: EPA Pesticide Permit Support

Subtask 3A: 2016 Pesticide General Permit Development Support

The Contractor shall support EPA's general permit development to include activities as may be necessary for any permit modifications to the current 2011 PGP. This may include drafting modified permit and fact sheet language, revising permit forms, updating the economic analysis and the ICR, revising the biological evaluation, participating in workgroup conference calls, preparing agendas and summaries for those calls, creating and updating schedules, compiling an administrative record, and preparing issue papers and guidance based on discussions with the EPA WACOR. EPA plans to issue the final 2016 PGP by October 31, 2016.

The contractor shall support EPA's response to comments on any draft modifications. This effort includes maintaining the comment response database, providing database access for EPA staff for data entry and review, grouping comments according to issue area and type of commenter, coding any additional or remaining public comments. The EPA WACOR may task the contractor with developing preliminary responses to certain technical comments received and for loading EPA-generated responses into the comment database. Also, the contractor shall prepare a final comment response summary document within one week of the EPA WACOR's determination that all comments have been entered and final responses provided. EPA plans to public notice the draft 2016 PGP in January, 2016 for 45 days.

The contractor also shall support EPA with any analyses of implementation issues associated with the use of general permits for controlling discharges. Support shall focus on such issues as the relationship of general permits to TMDLs, impaired waters, water quality standards, best available technology control practices, monitoring, and compliance and enforcement activities and permittee responsibilities as those activities relate to issuance of an NPDES permit.

Deliverables: Unless otherwise specified through technical direction, any draft permit or fact sheet modifications are due within two weeks of a request. Draft responses to comments are due within two weeks of EPA identifying for the contractor specific comments to be addressed. Provide a final comment response document within one week of the EPA WACOR's determination that all comments have been addressed and final responses provided. Other specific deliverables under this task will be identified under technical direction from the EPA WACOR.

Subtask 3B: State NPDES Pesticide Programs

The contractor shall support EPA in overseeing state administered NPDES pesticide general permits and associated state regulations and program procedures. Additionally, EPA may task the contractor to provide revised permit quality review checklist, based on the existing EPA permit quality review checklists, for use in reviewing state issued general permits.

Deliverables: The contractor shall submit a draft compilation within three weeks after technical direction from the WACOR and a final summary within two weeks of WACOR comments on the draft summary. Other specific deliverables under this task will be identified under technical direction from the EPA WACOR.

Subtask 3C: 2011 PGP- Notice of Intent & Annual Reporting Data Analysis

The contractor shall prepare a document summarizing data collected from the 2015 PGP Notice of Intent (NOI) and Annual Reports. The summary shall include but is not limited to the following: breakdown of the total number of new permittees; types of permittees; types of use patterns; number of pest management areas; number and size of treatment areas; and name, amount and EPA registration number of pesticides use.

The contractor shall also prepare a map which geographically highlights the location of NOI and Annual Report filers.

Deliverables: The contractor shall prepare a summary document and maps from the 2015 PGP NOI and Annual Reports. The contractor shall submit a draft compilation within three weeks after technical direction from the WACOR and a final summary within two weeks of WACOR comments on the draft summary. Other specific deliverables under this task will be identified under technical direction from the EPA WACOR.

Subtask 3D: Support ESA Obligations under the Requirements of the Endangered Species Act

The contractor shall support EPA's ESA consultation under Section 402.14(c) of the ESA regulations. EPA may request additional support specific to ESA requirements, such as working with the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) (together, the Services) to develop the Biological Evaluation document and to complete consultation on EPA's 2016 PGP. EPA will request assistance under specific technical direction. This may include participating in meetings and conference calls, support drafting NPDES permit options and rationale, reviewing and providing comments on FWS/NMFS developed materials, gather and analyzing monitoring data on water quality and pesticides, and drafting correspondence letters between the Agency and the Services.

NMFS has requested significant changes to the draft biological assessment which requires some additional unanticipated work. The contractor shall revise the biological assessment to address NMFS's concerns related to cumulative effects, critical habitat and update some data based on most recent census and impaired waters information.

Details and timeframes for additional deliverables will be through EPA WACOR technical direction.

Deliverables:

- A revised draft final biological assessment shall be developed and submitted to the WACOR for EPA review within three weeks after receiving EPA comments. The contractor should expect one additional round of comments on the revised draft final document with revisions due within two weeks of receiving comments. The contractor may request different due dates for responding to comments based on demonstrated need.
- Details and timeframes for additional deliverables will be through EPA WACOR technical direction.

Task 4: Forest Roads NPDES Support

On November 10, 2015 EPA published, in the **Federal Register** (80 FR 69653), a request for information and comments on existing public and private sector programs that address stormwater discharges from forest roads. This information will assist EPA in responding to the remand in *Environmental Defense Center*, *Inc. v. U.S. EPA*, 344 F.2d 832 (9th Cir. 2003) that requires EPA to consider whether the Clean Water Act requires the Agency to regulate forest roads. After considering comments and information received, EPA will publish an additional notice on or before May 26, 2016, with its determination as to whether stormwater discharges from forest roads are required to be regulated under Clean Water Act section 402(p)(6).

The Contractor shall support EPA's Forest Roads Determination Notice development and issuance. This may include gathering data on state, tribal and federal forest road programs, drafting notice language, participating in workgroup conference calls, preparing agendas and summaries for those calls, creating and updating schedules, compiling an administrative record, and preparing issue papers and guidance documents based on discussions with the EPA WACOR. EPA plans to issue the final notice by May 26 of 2016.

The contractor shall support EPA's response to comments on any draft modifications. This effort includes maintaining the comment response database, providing database access for EPA staff for data entry and review, grouping comments according to issue area and type of commenter, coding any additional or remaining public comments.

Deliverables: Unless otherwise specified through technical direction, any draft notice modifications are due within two weeks of a request. Other specific deliverables under this task will be identified under technical direction from the EPA WACOR.

Quality Assurance Project Plan

A quality assurance project plan (QAPP) is not required for Tasks 1 and 2 of this project because they do not involve the generation, management, distribution, or use of primary environmental data that will be used or have the potential for use in environmental decision making.

An incremental QAPP may be needed for Tasks, 3A, 3B, 3C, 3D, and 4, as the data needs become known during the period of the WA. If a QAPP is necessary, work on this task will not start until a QAPP is received and approved by EPA.

Deliverables: Before preparing a QAPP the contractor should meet with the WACOR and QA coordinator to discuss developing the QAPP. The contractor's monthly progress reports should (a) describe the contractor's progress on implementing the QAPP and resolving old data quality issues, (b) describe any new issues, and (c) provide the LOE and cost expenditures for developing the QAPP.

Level of Effort: The EPA estimated level of effort for this work assignment is 1197 hours.

Additional Requirements

Reporting

Reports shall be submitted in accordance with the reporting requirements of the contract. In addition, the contractor shall maintain bi-weekly telephone contact with the EPA WACOR to advice of progress and problems. All documents shall be delivered in the word processing format compatible with EPA, HTML, and/or PDF format, as requested by the WACOR. The contractor shall notify the EPA WACOR immediately when expenditures of 75% and 90% of the work assignment LOE or funding (including pipeline costs) are reached.

The contractor shall be prepared to submit for inspection copies of all work in progress any time as directed by the WACOR. The contractor shall not release information or comments on works performed under this work assignment without the WACOR's prior written authorization. Wherever practicable, all written materials submitted to EPA must be doubled-sided and on recycled paper. All computer disks submitted to the EPA WACOR shall be scanned for, and identified as free from viruses.

Unless directed otherwise, the contractor shall submit drafts and final products in electronic format compatible with Water Permits Division hardware and software.

Information Collection

All collection of information and data shall be in accordance with the Office of Water Quality Management Plan and OMB requirements under the Paperwork Reduction Act.

Conference/Meeting Guidelines and Limitations

The contractor shall immediately alert the EPA WACOR to any anticipated event under the work assignment which may result in incurring an estimated \$20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The EPA WACOR will then prepare approval internal paperwork for the event and will advise the contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

Surveillance Plan

The following performance measures will apply to work under this work assignment:

Performance Requirement	Measurable Performance Standards	Surveillance Methods	Incentives/Disincentives		
Management and Communications: During the performance of the Contract, the Contractor shall immediately inform EPA of any issue that may potentially impact project schedules or cost.	The Contractor shall maintain contact with contract managers (EPA CO, PO and WACOR) throughout the performance of the contract and identify any issues or concerns to the appropriate EPA contract manager prior to occurrence. In cases where issues have a direct impact on project schedules and cost, the contractor shall provide options for EPA's consideration on resolving or mitigating the impacts.	EPA contract managers will allocate the time needed to discuss and address all issues identified by the Contractor. Each EPA contract manager will document and maintain a complete record of the issues, agreements and outcome. All EPA contract managers will review monthly progress reports for indicators of communications problems and will bring issues to the Contractor=s immediate attention.	Any issues that impact project schedules and cost that are not brought to the attention of the appropriate EPA contract manager before occurrence will be unsatisfactory. Two or more incidents during any contract option period will be reported as unsatisfactory performance in the NIH Performance Evaluation System.		
Cost Management and Control: The Contractor shall perform all work in an efficient and cost effective manner, applying cost control measures where practical. The Contractor shall monitor, track and accurately report level of effort, labor cost, other direct cost and fee expenditures to EPA through monthly progress reports and approved special reporting requirements. The Contractor shall monitor, track and accurately report level of effort, labor cost, other direct cost and fee expenditures to EPA through monthly progress reports and approved special reporting requirements. The Contractor shall monitor, track and accurately report level of effort, labor cost, other direct cost and fee expenditures to EPA through monthly progress reports and approved special reporting requirements.		The EPA Project Officer will routinely meet with the Contractor=s Project Manager to discuss the work progress and contract and individual work assignment level expenditures. The Project Officer shall review the Contractor=s monthly progress reports and request the WACOR's verification of expenditures and technical progress before authorizing invoice payments. The EPA WACOR will maintain regular contact with the Contractor=s designated work assignment manager /project manager to discuss work assignment progress and expenditure. The WACOR will review the Contractor=s monthly progress report and invoice and provide feedback to the Project Officer on payment.	An overrun that exceeds 4% of the total contract obligation that is the direct result of the Contractor=s failure to manage and control cost will result in an unsatisfactory rating being reported to the NIH Performance System.		
Technical Analyses: The Contractor shall collect and analyze data in support of the Agency decision-making. The analyses conducted by the contractor shall be factual and defensible and based on sound science and engineering. All data shall be collected from reputable sources and quality assurance measures shall be conducted in accordance with agency requirements and any additional requirements outlined in individual work assignments. Any work requiring the contractor provided options or recommendations shall include the rationale use in selecting the option/recommendation and all other options considered.		The appropriate Contract Managers will review all analyses conducted by the Contractor and will independently consider the merit. EPA may opt to peer review analyses to further validate merit.	All analyses conducted for EPA by the Contractor must be factual and based on sound science and engineering. If after reviewing the Contractor=s analysis, EPA determines that the content is not factual, legally defensible or based on sound science and engineering, The Contractor=s performance will be reported as unsatisfactory in the NIH Contractor Performance System.		

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PERFORMANCE WORK STATEMENT CONTRACT EP-C-11-009 WORK ASSIGNMENT 5-18

Title: Technical Support for the Implementation of the Chesapeake Bay Protection and Restoration Executive Order

Work Assignment Contracting Officer Representative (WACOR):

Kyle J. Zieba Environmental Scientist US EPA Region 3, Water Protection Division

MC: 3WP42

Philadelphia, PA 19103 Phone: 215-814-5420

E-mail: zieba.kyle@epa.gov

Period of Performance: March 10, 2016 through June 30, 2016

Background Information:

Despite significant efforts by Federal, State, and local governments and other interested parties, water pollution in the Chesapeake Bay prevents the attainment of existing State water quality standards and the "fishable and swimmable" goals of the Clean Water Act. At the current level and scope of pollution control within the Chesapeake Bay's watershed, restoration of the Chesapeake Bay is not expected for many years. The pollutants that are largely responsible for pollution of the Chesapeake Bay are nutrients, in the form of nitrogen and phosphorus, and sediment. These pollutants come from many sources, among them AFOs/CAFOs. Restoration of the health of the Chesapeake Bay will require a renewed commitment to controlling pollution from AFOs/CAFOs as well as protecting and restoring habitat and living resources, conserving lands, and improving management of natural resources, all of which contribute to improved water quality and ecosystem health.

On May 12, 2009, President Barack Obama signed an Executive Order 13508 (Chesapeake Bay Protection and Restoration), which compels more aggressive action to restore the Chesapeake watershed. The Executive Order, as well as the implementation strategy developed under section 203 of the Order, identify new regulatory and accountability frameworks for agencies with jurisdiction over water quality in the watershed. With respect to CAFOs, EPA is expected to complete a review of each state's CAFO program; review each state's technical standards for nutrient management; review state Permits and Nutrient Management Plans; and, develop CAFO regulations that reduce nutrient loadings to the Bay through measures such as expanding the universe of regulated entities, proposing more stringent "next generation" nutrient management plans, and addressing the transfer of animal manure among facilities. This work assignment establishes tasks that contain work from a previous work assignment (WA3-95 ended March 31, 2011). The contractor will not be involved in the Agency policy or decision making.

Purpose:

The administrative and technical tasks provided by the contractor under this work assignment shall support EPA's implementation of the Chesapeake Bay Protection and Restoration Executive Order, with particular emphasis on defining the next generation of tools and actions to restore water quality in the Bay and describing the changes to be made to regulations, programs and policies to implement these actions. More specific details concerning tasks outlined below, if necessary, shall be provided to the contractor through written technical directions from the WACOR in accordance with technical direction clause of the contract (clause H).k

Task 0: Generate Work Plan and Monthly Progress Reports:

In accordance with contract requirements.

Task 1: State CAFO Regulations, Programs, Permit and NMP Reviews

The contractor shall provide support to EPA-HQ's, Region 3 and Region 2 in assessing CAFO program implementation by states in the Chesapeake Bay watershed. Activities include understanding state nutrient management planning requirements, NPDES permitting requirements, state technical standards, or other state agriculture-related regulatory requirements. The contractor shall provide EPA with information to support reviews of state CAFO permits and nutrient management plans (NMPs) in the Chesapeake Bay watershed.

Permit and NMP Reviews: Conduct reviews of CAFO permits and NMPs in EPA Region 3 (R3) and Region 2 (R2), to identify whether such permits and NMPs are enforceable and consistent with applicable federal and state legal requirements. The following will be conducted:

- Develop State-Specific Review Checklists: Contractor will work with R3 and R2 to develop state-specific checklists to review CAFO NMPs based on federal and state regulations, permits and applicable state technical standards.
- **Review Permits and NMPs:** Contractor will conduct a technical review of NMPs as directed by R3 and R2.
- o Written Products: Contractors will provide completed NMP reviews to R3 and R2.

<u>Deliverables</u>: The contractor shall provide information to support assessing CAFO program implementation by states according to the schedule approved by the WACOR, submitted to the WACOR within 1 to 2 weeks, as designated by the technical directive to begin this task.

Task 2: Technical Support for CAFO Related Chesapeake Bay Activities

The contractor shall provide support to EPA in collecting and analyzing data relevant to the CAFO regulations. In addition, these analyses shall extend to assessment of impacts from the regulation of nonpoint sources currently not regulated under existing NPDES permitting requirements.

AFO Sub-watershed Assessments: Conduct subwatershed assessments of AFO's as directed by WACOR for Region 3 states' animal agriculture program. The activities will consist of but are not limited to the following:

- a. On-site audits
- b. Water sampling
- c. Sample analysis

Deliverables: The contractor shall provide information to assess the impacts from the regulation of nonpoint sources currently not regulated under existing NPDES permitting requirements according to the schedule approved by the WACOR, submitted to the WACOR within 1 to 2 weeks as designated by the technical directive to begin this task.

Quality Assurance Statement

EPA anticipates that all information and/or data collected as part of this work assignment under all tasks will be collected from publicly available information sources. Task 2 requires the use of environmental data and should be supported by a QAPP developed by the contractor and reviewed by the WACOR. The contractor shall submit the QAPP approximately within 15 days of the submittal of the work plan. An approved quality assurance project plan (QAPP) is required for Task 2 because it involves the generation, management, distribution, or use of environmental data that will be used or have the potential for use in environmental decision making.

Requirements

Reporting

Reports shall be submitted in accordance with the reporting requirements of the contract. In addition, the contractor shall maintain bi-weekly telephone contact with the WACOR to advise of progress and problems. All documents shall be delivered in the word processing format compatible with EPA, HTML, and/or PDF format, as requested by the WACOR. The contractor shall notify the WACOR immediately when expenditures of 75% and 90% of the work assignment LOE or funding (including pipeline costs) are reached.

The contractor shall be prepared to submit for inspection copies of all work in progress any time as directed by the WACOR. The contractor shall not release information or comments on works performed under this work assignment without the WACOR's prior written authorization. Wherever practicable, all written materials submitted to EPA must be doubled-sided and on recycled paper. All computer disks submitted to the WACOR shall be scanned for, and identified as free from viruses.

The contractor shall submit drafts and final products in hard copy as well as on CD in a format compatible with EPA hardware.

Travel

Travel will be necessary for activities described in this statement of work, particularly around

conducting the state AFO sub-watershed assessments onsite or in the field. All non-local travel shall be authorized 3 weeks in advance of the start of travel by the WACOR and shall be in accordance with the contract. All travel will be reviewed and approved by the WACOR before it commences.

Information Collection

All collection of information and data shall be in accordance with the Office of Water Quality Management Plan and OMB requirements under the Paperwork Reduction Act.

Surveillance Plan

N/A

Note: No single event under this Work Assignment is anticipated to exceed \$20,000. The Contractor shall immediately notify the CO, CL-COR, and WACOR of any anticipated event involving support for a meeting, conference, workshop, symposium, retreat, seminar or training that may potentially incur \$20,000 or more in cost during performance. Conference expenses are all direct and indirect costs paid by the government and include any associated authorized travel and per diem expenses, room charges for official business, audiovisual use, light refreshments, registration fees, ground transportation and other expenses as defined by the Federal Travel Regulations. All outlays for conference preparation should be included, but the federal employee time for conference preparation should not be included. After notifying EPA of the potential to reach this threshold, the Contractor shall not proceed with the task(s) until authorized to do so by the CO.

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Work shall not commence on t	his work assignment unt	til January 1, 2016.					
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Superfund	Superfund Accounting and Appropriations Data				X	Non-Superfund	
SFO	Note: To report additional acco	unting and appropriations date use E	EPA Form 1900)-69A.			
(Max 2)							
	ropriation Budget Org/Code	Program Element Object Class	Amount (Do	ollars) (Cents)	Site/Project	Cost Org/Code	
	e (Max 6) (Max 7)	(Max 9) (Max 4)			(Max 8)	(Max 7)	
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Work Assignment Manager Name Paul	Shriner		Bran	ch/Mail Code:			
			Phor	ne Number 202-	566-1076		
(Signature)		FAX	Number:				
Project Officer Name Robert Power	11	Bran	ch/Mail Code:				
		Phor	ne Number: 202-	564-2108			
(Signature)		FAX	Number:				
Other Agency Official Name			Bran	ch/Mail Code:			
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(Signature)		(Date)		Number:			
Contracting Official Name Brad Hea	ith /		-	ch/Mail Code:			
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PERFORMANCE WORK STATEMENT CONTRACT EP-C-11-009 WORK ASSIGNMENT 5-19

TITLE: 316(b) Cooling Water Intake Structures

WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (WACOR):

NAME: Paul Shriner PHONE: 202-566-1076 FAX: 202-566-1053

E-MAIL: shriner.paul@epa.gov

PERIOD OF PERFORMANCE: January 1, 2016 through June 30, 2016

ESTIMATED HOURS: 752

BACKGROUND:

EPA implemented section 316(b) Cooling Water Intake Structure requirements in three phases under court order. Cooling Water Intake Structures withdraw water for the purposes of dissipating excess heat. Cooling Water Intake Structures at new facilities (except offshore oil and gas platforms) were addressed in the Phase I rule, promulgated in November 2001. EPA was challenged by several parties, and the Second Circuit written opinion was issued in February 2004. The opinion ruled in favor of EPA on all issues except restoration measures. Subsequently EPA issued a memo directing regions not to use the restoration provisions of the Phase I rule.

Large existing power generators were addressed in the Phase II rule that was issued in 2004. The Second Circuit remanded several key provisions of the rule on January 25, 2007. EPA suspended the final rule as of July 9, 2007. Industry filed for certiorari with the Supreme Court in 2008. The Supreme Court agreed to hear industry motions on whether cost-benefit analysis is permitted under section 316(b) of the Clean Water Act. The Supreme Court issued a decision on April 1, 2009, holding that EPA had permissibly relied on cost-benefit analysis in setting the Phase II national performance standards and in providing for cost-benefit variances from those standards as part of the Phase II regulations.

The Phase III rule for existing manufacturers and new offshore oil and gas platforms was issued June 2006. In July 2010, the United States Court of Appeals for the Fifth Circuit issued a decision upholding EPA's rule for new offshore oil and gas extraction facilities and accepting EPA's request to remand the existing facility portion of the rule back to the Agency for further rulemaking. The decision reflects the recent Supreme Court decision that EPA may, but is not required to, consider cost-benefit analysis in its rulemaking. EPA promulgated the Existing Facilities final rule which published on August 15, 2014, to respond to the two remanded rules.

The contractor has previously supported EPA in this rulemaking, most recently under Work Assignment 4-19 of contract EP-C-11-009. This work assignment establishes technical support and expertise for a variety of regulatory development activities, primarily including post rule implementation and litigation support. This work may include but is not limited to preparing an updated category profile, maintaining the survey database, analyzing performance of treatment technologies, supporting analysis of costs and benefits of regulatory alternatives, preparing briefings and outreach materials, preparation of administrative indices and dockets in response to litigation, implementation guidance, and conducting other similar technical analyses

that fall within the contract PWS. These tasks support rulemaking related activities of all phases of the section 316(b) program. For work plan purposes, the contractor shall assume primary support of the section 316(b) program falls under tasks supporting the final existing facility rule as issued on August 15, 2014.

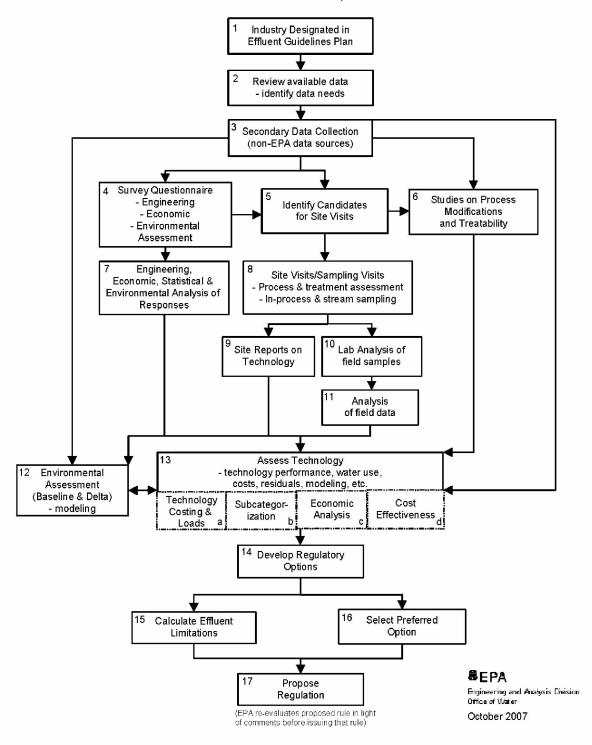
TASK 1 - Data Quality Assurance Administration (See Contract PWS 3.16)

Quality Assurance Project Plans are required under the Agency's Quality Assurance Policy CIO-2105, formerly EPA Order 5360.1A2 and implementing guidance CIO-2105-P-01-0. All projects that involve the generation, collection, analysis and use of environmental data must have an approved QAPP <u>prior</u> to the commencement of the work.

QA Project Plan Requirements

EPA policy requires that an *approved* Quality Assurance Project Plan (QAPP) be in place before any work begins that involves the collection, generation, evaluation, analysis or use of environmental data. This work assignment is a continuation of work (i.e. data used in this WA was collected and analyzed under a prior contract) previously performed by the contractor under WA 0-19, WA 1-19, WA 2-19, 3-19, and 4-19, as well as under previous contracts and thus a QAPP was already prepared and approved by EPA to support work performed for this project (*Quality Assurance Project Plan for Technical Support for 316(b)* Regulatory Development, [QAPP 285Draft Revision 0], June 1, 2012, Prepared by Tetra Tech, Inc.). It is expected that the prior QAPP will continue to apply this WA.

Effluent Guidelines Development Process



To ensure that all activities performed under this work assignment are compliant with EPA's quality system requirements, the Contractor shall adhere to the previously approved QAPPs *and*:

- The Contractor shall review the previously approved QAPP to verify that the QAPP adequately documents how quality assurance (QA) and quality control (QC) will be applied to all activities to be performed under this work assignment, including the new steps in the effluent guidelines development process listed above. As part of this review, the Contractor shall also verify that existing QAPP content (e.g., organizational charts, roles and responsibilities, QA/QC procedures, checklists, SOPs, etc.) are still appropriate for the work to be performed under this work assignment for previously identified steps in the rulemaking process that will continue to be supported under this work assignment. In addition, the contractor shall verify that the QAPP:
 - Addresses all activities involving the generation (including field studies, laboratory studies, and modeling output), collection (including surveys, literature searches, and third party data), evaluation (including data inspection, review, assessment, and validation), analysis (including statistical, engineering, and economic analysis and testing, evaluation, and validation of methods and models) and use of data to support EPA decisions, regulations, policy, publications or tools (including guidelines, methods, criteria, standards, environmental assessments, and models, tools, or reports disseminated by EPA to assist other organizations in implementing environmental programs). Examples of data include, but are not limited to, wastewater sample analysis results, flow measurements or data, facility questionnaire data, economic data, use of models, secondary data (including sources and the acceptance criteria), any software and database management requirements and any other relevant work that might affect the quality of the data. Note that QAPPs are also required for the development or revision of models and software that support the generation, collection, evaluation, analysis or use of data. For example, when existing models are used as a tool to generate or evaluate data, the project QAPP must describe the model, how it will be used, and how the model output will be evaluated to ensure it meets the overall quality objectives for the project. However, development or revision of new models also must be supported by a QAPP that describes the objectives for the model, the quality criteria that will be applied to the model, and the procedures for evaluating whether the model meets those criteria.
 - Provides enough detail to clearly describe objectives of the project supported by the work assignment; the type of data to be collected, generated, or used under this work assignment to support the project objectives; the quality objectives needed to ensure that these will support the project objectives; and the quality assurance and quality control activities to be performed to ensure that any results obtained are documented and are of the type, quality, transparency, and reproducibility needed.
 - Includes specific performance criteria and measures that will be used to verify that data generated, collected or used in this work assignment meet those criteria. If a database or other electronic tool (e.g., model, spreadsheet, etc.) will be created for the project, the QAPP must describe how the database or electronic tool will be documented (e.g., data element dictionary, user manual, SOP, or other means appropriate for the project), the controls to ensure accurate data entry (when data from another source are manually entered into the database), data transfer (when data are transferred from one electronic medium to another), or data merging (when data from multiple databases or electronic media are merged into a single database).
 - Explicitly references tools, such as SOPs, checklists, and guidelines that the contractor will use in the project to document data quality. The QAPP must include the tools as attachments for EPA's review and acceptance.
 - Addresses the following "general questions that are applicable to all QAPPs that support EAD effluent guidelines projects":
 - What is the objective/goal of this effort?
 - What are the roles and responsibilities of staff that will support this project, and how to they relate to the specific key steps?
 - What training and competency requirements are necessary for key personnel that will support the project?

- If models will be used to support the project, what are these models, why have they been selected, and how will they be validated, documented, and used?
- What are the SOPs, tools and checklists that will be used?
- ➤ To ensure consistency between the QA Tasks in this work assignment and QA Tasks associated with any pre-existing data, models, and analysis conducted under previous work assignments, the contractor shall consider using QA Plan and/or QAPP elements from previously approved QA Plans or QAPPs.
- If minor changes are needed to the existing QAPP, the Contractor shall submit a revised QAPP to EPA within 10 days after submittal of the work plan. This revised QAPP shall include a version history page that summarizes the changes made. The Contractor also shall provide EPA with copies of any modified SOPs or checklists. EPA will review the revised QAPP and provide the Contractor with written approval or comments within 15 days of receiving the Contractor's submission. The Contractor shall revise the submitted QAPP within 7 days of receipt, unless otherwise instructed by the EPA WACOR.
- If major changes are needed to the existing QAPP, the Contractor shall submit a revised QAPP to EPA within 15 days after submittal of the work plan. When preparing this revised version, the Contractor shall ensure that it is written in an active voice and shall include a version history page that summarizes changes made. The Contractor also shall provide EPA with copies of any modified SOPs or checklists. EPA will review the revised QAPP and provide the Contractor with written approval or comments within 15 days of receiving the Contractor's submission. The Contractor shall revise the submitted QAPP within 10 days of receipt, unless otherwise instructed by the EPA WACOR.
- Final deliverables that involve the generation, collection, evaluation, analysis, or use of environmental data must be performed under an approved QAPP. An approved QAPP must be in place no later than 50 days after submission of the Contractor's work plan.
- Any non-sampling/non-analytical work or interim deliverables that involve the generation, collection, evaluation, analysis, or use of environmental data initiated prior to approval of the Contractor's revised QAPP must be performed in accordance with a previously approved QAPP. The revised QAPP requirements must be applied retroactively to this period.

Data Quality Act/Information Quality Guidelines Requirements

The Data Quality Act (also known as the Information Quality Act) requires EPA to ensure that influential information disseminated by the Agency is sufficiently transparent in terms of data and methods of analysis that the information is capable of being substantially reproduced. To support compliance with these data transparency/data reproducibility requirements, EPA plans to include QAPPs as part of any rulemaking record documentation to be made available to the public. The Contractor may claim information in QAPPs as confidential; if the Contractor chooses to do so, the Contractor shall submit a sanitized (i.e., public) version and an unsanitized (i.e., confidential) version at the time the QAPP is submitted for approval by EPA. The sanitized version will be included in the public docket for the applicable rulemaking (or other docket or record), and the unsanitized version will be included in a non-public (i.e., confidential) portion of the docket (or record).

Information contained in the approved QAPP must be transparent and reproducible and meet the requirements of the Data Quality Act for influential information. EPA's *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity, of Information Disseminated by the Environmental Protection Agency* (EPA/260R-02-008, October 2002), referred to as "EPA's Information Quality Guidelines," describe EPA procedures for meeting Data Quality Act requirements. Section 6.3 of EPA's Information Quality Guidelines indicate that "especially rigorous robustness checks" should be applied in circumstances where quality-related information cannot be disclosed due to confidentiality issues. Where applicable, the Contractor should indicate which results were obtained using the tools (SOPs, checklists, and guidelines) that the Contractor designates as confidential so that the EPA WACOR can easily identify the areas that will require rigorous robustness checks and document that those checks have been

performed. At the discretion of the EPA WACOR, the Contractor may be requested to prepare predissemination review checklist as described in Section 5.5 of the Office of Water Quality Management Plan, February 2009. If this is required, the EPA WACOR will notify the Contractor through written technical direction.

Additional QA Documentation Required

In addition to the QAPP requirements described above, all major deliverables (e.g., Technical Support Documents, Study Reports, Study Plans, etc.) produced by the Contractor under this work assignments must include a discussion of the QA/QC activities that were or will be performed to support the deliverable. For example, a Cost Study Report must include a clear discussion of the quality management strategies that were employed to control and document the quality of data generated and used. Specific requirements may include a sensitivity analysis of estimated costs, an identification of cost drivers, identification of where costs are likely overstated or understated, and the extent to which data limitations preclude EPA from making more refined cost estimates.

The contractor also shall provide EPA with quarterly reports of QA activities performed during implementation of this work assignment. These QA reports shall identify QA activities performed to support implementation of this work assignment, problems encountered, deviations from the QAPP, and corrective actions taken. If desired, the contractor may include this as a part of the contract-required financial/technical progress report.

Deliverables and schedule for QA Tasks

- At this time, the existing approved QAPP for WA 4-19 is expected to cover all the work in this work assignment.
- Should future project developments require additional QA efforts not addressed by the existing QAPP, a kickoff meeting shall be held prior to developing and submitting additional QA Plans and/or QAPPs.
- QA Plan Addendum: As revisions are determined to be necessary by the EPA WACOR, an addendum to the existing QAPP shall be submitted within 10 days after submittal of the Contractor's work plan. To ensure consistency between the QA Tasks in this work assignment and QA Tasks associated with preexisting data, models, and analysis, the contractor may use QA Plan and/or QAPP elements from previously approved QA Plans or QAPPs.
- If required by EPA WACOR, the Contractor will revise the QA plan within 7 days of receipt of comments from the EPA WACOR (for a QAPP with minor revisions) or within 10 days of receipt of comments from the EPA WACOR (for a QAPP with major revisions), unless otherwise directed by the EPA WACOR
- Quarterly reports of QA work performed (may be included in the Contractor's monthly progress report.)

Task 2: Workplan, Cost Estimate, and Program Management

The contractor shall provide a work plan that describes the support that will be provided; identifies deliverables; and identifies potential problems that may arise in completing this work assignment on schedule and within budget. The work plan shall describe the necessary steps for each task; list of the personnel projected to participate; direct and indirect costs such as labor, travel, and sampling supplies; and estimated hours to complete this work assignment.

The contractor shall prepare and submit electronic monthly progress reports to the WACOR and CL-COR. This progress report will document the costs incurred and work performed during the previous accounting period, and the work planned for the current accounting period. The contractor shall provide overall work assignment management and interface with the EPA WACOR as needed, but at a minimum will hold

biweekly conference calls with the EPA WACOR. The contractor shall inform the EPA CL-COR and WACOR in writing when 50%, 75%, and 90% of the allocated hours or dollars have been expended.

The uncertainties involved in the effort including litigation support are of such magnitude that there is no reasonable expectation that the contractor can estimate the level of effort required by the tasks, objectives, or outcomes of the requirement. Therefore, for the purpose of developing this work plan, the contractor may assume the following hours by Task.

Task 1: Data Quality Assurance Administration	36
Task 2: Workplan, Cost Estimate, and Program Management	52
Task 3: Data Management	36
Task 4: Litigation support	160
Task 5: Implementation support and training	120
Task 6: ESA specific implementation support	64
Task 7: General support of permitting	64
Task 8: DOD specific permit support	16
Task 9: Region specific implementation and permit support	160
Task 10: Record management	60
Task 11: CBI Procedures	20

Task 3 – Data Management (See Contract PWS 1.3, 3.11, and 3.16)

Screener and detailed questionnaires were developed and administered by EPA and its respective contractors to collect baseline design, operational, and environmental data and other information to facilitate regulatory development efforts. The contractor shall maintain a database including: (1) final costs and technology assignments as presented in the final rule; (2) costs for retrofitting the existing cooling water intake structure with one or more best performing technologies; (3) technology capital costs, costs associated with facility down times during installation, annual operation and maintenance costs, pilot study costs, biological studies, compliance monitoring, and any other costs. This task includes management of input files to EPA's cost tools and calculators, including the Master Database based on the questionnaires, performance databases, permit status tracking spreadsheets, studies related to the performance standards, and other similar databases. Under this task, the contractor shall maintain the integrity and version control of the Master Database which contains all of the questionnaire engineering/technical data. A copy of the post-promulgation version of the database, as identified as the version of the database as of the existing facilities rule signature date of May 19, 2014, shall be maintained separately and without any further revisions. The contractor shall update and

revise a duplicate copy of the Master Database as necessary to reflect new information or corrections to information in the database that have been received after May 19, 2014. The Master Database shall be maintained in an electronic format that allows it to be used with the cost tools, implementation calculators developed under this work assignment, and any costs or reductions estimates previously developed under Work Assignment 4-19 or 3-19, tasks 2 and 3, respectively.

All additional information collection activities must be performed in accordance with applicable Paperwork Reduction Act requirements as administered by the Office of Management and Budget (OMB).

Task 4 - Litigation Support (PWS 1.3 and 4.4)

This task includes administrative index assembly, record searches, review of EPA response to comment essays, and other searching and analysis related to litigation of the CWA section 316(b) rule. Note that litigation support tasks related to permitting falls under Tasks 7, 8, and/or 9. This task may also include technical support and permit review for purpose of developing briefings. Under this task, the contractor shall assemble the final docket index as defined and required by the court (Note this item may be different than maintaining the public docket index and the project file index as those deliverables are described in Task 10), shall conduct searches of comments and responses to support Agency legal briefings, and shall retrieve record items in support of Agency litigation. For purposes of the workplan, assume the consolidated existing facilities rule challenge will occur in the Second Court in New York, and will require initiation of EPA legal briefs and preparations in early 2016.

Task 5: Implementation support and training (PWS 1.3)

Activities under this task support the development of implementation support documents for permit writers and the regulated industry. This task includes preparation of frequently asked questions, fact sheets, question and answer documents, case studies, cost tools, compliance cost calculators, development of benchmarks and document review processes for internal consistency, and related implementation support activities. This task also includes assistance in the development of a module(s) for the NPDES permit writer training sessions.

Because of the complex nature of the section 316(b) rules, support will be provided to collect, compile, analyze, and present information and data which may be used to develop the technical and scientific basis of draft guidance on energy and manufacturing sector permitting and monitoring. Supplemental memos and supporting documents will be designed to provide permit writers responsible for issuing cooling water intake structures permit requirements with information and data on control strategies, technology performance information, assessment methodologies and tools, water quality concerns, environmental impacts, and sampling techniques. These documents may also provide draft model permit language for facilities with cooling water intake structures. This task may involve non-local travel to workshops and/or conferences to explain the rule and related support documents created under this task. For the purposes of estimating costs, the contractor can assume up to two trips by two people; see the Travel section of this work assignment for more information.

Under this task, information and data shall be collected, compiled, analyzed, and presented in order to support implementing policies related to Phase I, Phase II, and/or III 316(b) facilities. Listings, summaries, analyses, and documentation which the Agency deems necessary for implementing the final regulations will be provided by the EPA WACOR. Such work may include providing supporting information and documentation for briefings, and cost and analytical data analyses.

Task 6: ESA specific implementation support (PWS 1.3)

This task allows for follow on work related to the ecological and bio-statistical aspects of the 316(b) rulemaking, including support of benefits analyses. The contractor may be asked to update and/or modify previously provided engineering and biological support deliverables for the environmental assessment used to determine national impingement and entrainment losses and to quantify benefits. At this time, EPA does not anticipate significant follow on work related to this aspect of the project. If the need arises, specific tasking will be provided through technical direction from the EPA WACOR.

This task also allows for follow on work related to the EPA memo to States concerning ESA consultation. Such activities may include update to permit status, identification of threatened and endangered species in the vicinity of a facility, and support tasks related to State and Regional administration of the Directors requirements under 125.98(h), such as transmission of permit application materials to Services or the summary of permit status.

Task 7: General support of permitting (PWS 1.3)

The contractor shall provide technical support in 316(a) and/or 316(b) NPDES individual permits development and/or litigation. This effort may involve quick turnaround tasks that require researching and preparing supporting documents in response to court decisions. Permit development activities that incorporate both technology and water quality-based limits typically require the following steps: reviewing NPDES application materials for completeness and accuracy, developing permit limits and conditions, drafting fact sheet, drafting permit, drafting response to comments, drafting technical support memorandums, costing and analyzing available technologies, and preparing administrative record. Permits including 316(a) and 316(b) often also require analysis of engineering and technical feasibility, impingement/entrainment and heat impacts on the waterbody, monitoring programs for aquatic organisms, quantified and qualified benefits and costs; impacts on air resources, impacts on the reliability of energy delivery in the immediate area; remaining useful plant life; and the impacts on water consumption. This task may involve review of biological assessments such as review of monitoring and sampling methods, review of baseline source water characterizations, review of entrainment characterizations, and assessment of impingement mortality optimization studies.

The contactor shall keep track of hours according to facility, allowing EPA to document what is spent on separate facilities. Within 1 week of EPA providing a request, the contractor shall initiate conference call to kick-off project if requested.

Task 8: DOD specific permit support (PWS 1.3)

The contractor shall provide technical support in 316(a) and/or 316(b) NPDES permits development and/or litigation as in Task 7, where all such support is specific to facilities owned or operated by the Department of Defense. This effort may involve quick turnaround tasks that require researching and preparing supporting documents in response to court decisions.

The contactor shall keep track of hours according to facility, allowing EPA to document what is spent on separate facilities. Within 1 week of EPA providing a request, the contractor shall initiate conference call to kick-off project if requested.

Task 9: Region specific implementation and permit support (PWS 1.3)

The contractor shall provide technical support in 316(a) and/or 316(b) NPDES permits development and/or litigation as in Task 7, where the contractor shall provide technical support to specified EPA Regions and

States for permit development activities. Permit development activities that incorporate both technology and water quality-based limits typically require the following steps: reviewing NPDES application materials for completeness and accuracy, developing permit limits and conditions, drafting fact sheet, drafting permit, drafting response to comments, drafting technical support memorandums, costing and analyzing available technologies, and preparing administrative record. Permits including 316(a) and 316(b) often also require analysis of engineering and technical feasibility, impingement/entrainment and heat impacts on the waterbody, monitoring programs for aquatic organisms, quantified and qualified benefits and costs; impacts on air resources, impacts on the reliability of energy delivery in the immediate area; remaining useful plant life; and the impacts on water consumption.

This support shall include the following tasks and deliverables:

A. Reviewing NPDES permit application materials for completeness and accuracy. - Task shall include reviewing the following documents for completeness and accuracy based on Federal or state regulatory requirements and providing technical support. Documents shall include the following: NPDES permit application forms, Source Water Physical Data, Cooling Water Intake Structure Data, Source Water Baseline Biological Characterization Data, Cooling Water System Data, Flow Reduction Information, Velocity Information, Source Waterbody Flow Information, Source Water Biological Study, Evaluation of Potential Cooling Water Intake Structure Effects, Impingement Mortality and/or Entrainment Study, Comprehensive Cost Evaluation Study, Benefits Evaluation Study, Site-Specific Technology Plan, impingement mortality and/or entrainment sampling results, 316(a) and (b) Studies, temperature studies, and other documents submitted similar to those listed above. Within 1 week of EPA providing State or Region's request, the contractor shall initiate conference call to kick-off project if requested.

B. Developing effluent limitations, 316(a) limitations, 316(b) limitations, and other permit conditions. Task shall include developing permit limits and conditions recommendation for EPA's consideration based on Federal and/or state regulatory requirements and any EPA, Native American Tribe, or state policies/guidance. Where appropriate, permit conditions shall reflect watershed regulatory initiatives such as TMDLs. Within 1 week of EPA providing State or Region's request, the contractor shall initiate conference call to kick-off project if requested.

<u>C. Preparing fact sheet, permit, and technical report/memo</u> - Based on Federal and/or State requirements, either prepare a preliminary fact sheet and permit or a technical report/memo that could be used to support permit limitations and requirements. The documents should present all of the data presented as well as the analyses performed including: facility description, rationale for effluent limits, monitoring requirements, compliance schedules, and special conditions. Within 1 week of EPA providing State or Region's request, the contractor shall initiate conference call to kick-off project if requested.

D. Provide Technical Support in Compiling, Analyzing, and Developing a Response to Comments Document

After review of comments by EPA, the Contractor shall provide support in organizing and compiling comments as requested by the EPA WACOR, this may include comments that do not address 316(a) and (b). The contractor will create response to comment files in a standard format. This includes incorporating responses from several different people/sources into a document with a consistent format, editing responses, cross referencing commenters, creating table of contents, inserting diagrams/tables, and assembling attachments. Additionally, this task shall include researching and preparing draft written responses to 316(a) and/or 316(b) public comments received by the Regions or States. The response should support the permit limits and conditions. The contractor will not address any policy related questions. The Contractor shall coordinate drafting of responses to comments related to 316(a) and (b) upon technical direction from EPA. These comments will be used to support permitting authority in developing 316(a) and/or 316(b) limits/conditions in NPDES permits. Within 1 week of EPA providing State or Region's specific request, the

contractor shall initiate conference call to kick-off project if requested.

The contactor shall keep track of hours according to facility, allowing EPA to document what is spent on separate facilities.

Task 10 – Records Management (PWS 1.3 and 4.4)

Under this task, the contractor shall collect, index, and organize record materials received from EPA staff and contractors after promulgation of the existing facilities rule October 2014. This task includes management of the response to comment documentation and database developed under previous WA 3-19. The complete rulemaking index may be a combined index consisting of previous Phase I, Phase II, and Phase III rules, related ICRs such as permitting ICR renewal and the Stated Preference Survey, as well as any notice of data availability (NODA) indices.

The <u>project file</u> index will contain project file-only documents in addition to all draft record index documents. Only those documents that are part of the public docket shall be included in the final <u>record</u> index submitted with the docket. The contractor shall also assist in assembling and managing the electronic docket, following EPA's policy for Section 508 compliance as issued by the Edocket office.

Such work may also include providing supporting information and documentation for briefings, cost and analytical data analyses, and assistance in collecting records responsive to requests made under the Freedom of Information Act (FOIA) (note this does not include actually responding to FOIA requests). Deliverables under this task may require fast-response or quick turnarounds of 24 hours or less.

Task 11 – CBI Procedures (See Contract H.10)

The contractor shall utilize CBI information in accordance with contract requirements and limitations to include using the Office of Science and Technology's (OST), "Office of Science and Technology Confidential Business Information (OST-CBI) Application Security Plan" dated March 2008 or subsequent revisions; the most recent OST plan is included as Attachment A. The contractor shall receive survey response raw data and/or analyses from potentially regulated entities and/or other contractors. As such, the contractor shall adhere to EPA's CBI policy and procedures as described in the contract, "Screening Business Information for Claims of Confidentiality," and "Treatment of Confidential Business Information." All questionnaire and database designs will provide for identification of item-level and questionnaire-level CBI claims. The contractor shall identify and make call backs for missing, incorrect, or inconsistent information in questionnaires consistent with EPA's CBI policies. The contractor shall adhere to any additional written technical direction from the EPA WACOR regarding data security measures or provisions for exchanging information that are deemed necessary to safeguard the integrity of CBI, including restrictions on the transmittal of potential deducible information that is not in itself CBI. All hours expended by the Document Control Officer following the requirements described in the Security Plan for the section 316(b) effort should be assigned to this task.

SCHEDULE OF BENCHMARKS & DELIVERABLES:

Task No.	DELIVERABLE	Schedule
1	1.1: QA Plan Addendum 1.2: Monthly reports of QA work performed (may be included in the Contractor's monthly progress report.)	1.1: First draft within 7 business days of effective date of WA, and revised within 10 business days of Technical Direction from the EPA WACOR thereafter. 1.2: Monthly.

Task No.	DELIVERABLE	Schedule
2	2.1: Work plan	2.1 In accordance with contract requirements.
3	3.1: Data management	3.1 Confirmation that master database for final rule archived within 10 business days of work plan approval. 3.2 Updated database quarterly, or within 5 business days of Technical Direction from the EPA WACOR.
4	4.1: Admin Index 4.2: Supporting brief information and documentation.	4.1 Within 7 business days of Technical Direction from the EPA WACOR.4.2 Within 5 business days of Technical Direction from the EPA WACOR.
5	5.1: Summary of all Qs and As received post promulgation5.2 Permit writer training	5.1: Within 5 business days of Technical Direction from the EPA WACOR. 5.2 Outline of training module within 7 business days of Technical Direction from the EPA WACOR. First draft of each training module section within 14 business days of Technical Direction from the EPA WACOR.
6	6.1: Markey spreadsheet update	6.1: Within 10 business days of Technical Direction from the EPA WACOR.
7	7.1: Draft technical documents 7.2: Revised technical documents	7.1: Within 14 business days of Technical Direction from the EPA WACOR.7.2: Within 14 business days of receiving comments from EPA WACOR.
8	8.1: Summary of DOD facility specific data. 8.2 draft technical review memorandum 8.3: Summary of recommendations and follow-up activities supporting draft permits.	8.1: Within 7 business days of Technical Direction from the EPA WACOR. 8.1: Within 14 business days of Technical Direction from the EPA WACOR. 8.3 Within 14 business days of receiving comments from EPA WACOR.

Task No.	DELIVERABLE	Schedule
9	9.1 kickoff conference 9.2 summary of tracking hours by facility 9.A.1 draft technical review memorandum 9.A.2 revised draft technical review memorandum 9.B.1 draft technical permit conditions 9.B.2 revised technical permit conditions 9.C.1 draft technical documents 9.C.2 revised technical documents 9.D.1 organized and compiled response to comments document 9.D.2 draft comment response 9.D.3 final comment response document/memorandum	9.1 Within 7 business days of request from EPA WACOR. 9.2 Within 3 business days of request from EPA WACOR. 9.A.1 Within 3 weeks of receiving materials for review. 9.A.2 Within 1 week of receiving comments from the EPA WACOR. 9.B.1 Within 2 weeks of receiving permit application materials. 9.B.2 Within 2 weeks of the EPA WACOR's comments on the initial draft. 9.C.1 Within 2 weeks of receiving permit application materials. 9.C.2 Within 2 weeks of receiving permit application materials. 9.C.2 Within 2 weeks of receiving of the EPA WACOR's comments. 9.D.1 Within 2 weeks of receiving comments. 9.D.2 within 3 weeks of being assigned specific comments and receiving materials. If the draft responses should exceed 50 pages in length, the responses will be due within 4 weeks of being assigned comments and receiving materials. 9.D.3 Within 2 weeks of receipt of the EPA WACOR's comments.

Task	DELIVERABLE	Schedule
No.		10.1 Quarterly, or within 7 business days of Technical Direction from the EPA
10	10.1 Project File 10.2 Record index 10.3 FOIA and related requests.	WACOR. 10.2 Quarterly, or within 7 business days of Technical Direction from the EPA WACOR. 10.3 Within 2 business days of Technical Direction from the EPA WACOR.
11	11.1: A draft CBI plan.11.2: A final CBI plan incorporating the EPA WACOR's written comments.	11.1: Within 10 business days of effective date of WA. 11.2: Within 14 business days of receiving comments from the EPA WACOR.

REPORTING

Reports shall be submitted in accordance with the reporting requirements of the contract. In addition, the contractor shall maintain bi-weekly telephone contact with the EPA work assignment manager (WACOR) to discuss progress and the possibility of problems. All documents shall be delivered in the word processing format compatible with EPA, HTML, and/or PDF format, as requested by the WACOR. The contractor shall notify the EPA WACOR immediately when expenditures of 75% and 90% of the work assignment LOE or funding (including pipeline costs) are reached.

The contractor shall be prepared to submit for inspection copies of all work in progress any time as directed by the WACOR. The contractor shall not release information or comments on works performed under this work assignment without the WACOR's prior written authorization. Wherever practicable, all written materials submitted to EPA must be doubled-sided and on recycled paper. All computer disks submitted to the EPA WACOR shall be scanned for, and identified as free from viruses.

The contractor shall document receipt of technical direction in its Monthly Progress Report. The contractor shall notify the Contracting Officer upon receipt of any technical direction that it believes will result in an increase to the cost ceiling established for the work assignment.

The contractor shall conduct a bi-annual meeting with the EPA WACOR to review overall project status, which will include a complete review of QA/QC procedures.

TRAVEL

Non-local contractor travel is anticipated under this Work Assignment. All travel shall be approved in advance by the project officer and shall be in accordance with the contract. For planning purposes, assume 1 to 2 technical staff will attend 2 training sessions with a \$5,000 ceiling on travel.

CONTRACTOR IDENTIFICATION

Contractor personnel shall always identify themselves as Contractor employees by name and organization and physically display that information through an identification badge. Contractor personnel are prohibited from acting as the Agency's official representative.

The Contractor shall refer any questions relating to the interpretation of EPA policy, guidance, or regulation to the EPA WACOR.

MEETINGS, CONFERENCES, TRAINING EVENTS, AWARD CEREMONIES AND RECEPTIONS

All appropriate clearances and approvals required by Agency policy in support of any and all conference related activities and expenses, including support of meetings, conferences, training events, award ceremonies and receptions, shall be obtained by the EPA PO as needed and provided to the Contracting Officer. Work under conference related activities and expenses shall not occur until this approval is obtained and provided by the PO.

ATTACHMENTS

This section provides additional detailed project background or other necessary reference materials for contractor performance.

Attachment A: Office of Science and Technology Confidential Business Information (OST-CBI) Application Security Plan. This attachment will be provided by the EPA WACOR.

Conference/Meeting Guidelines and Limitations

The contractor shall immediately alert the EPA WACOR to any anticipated event under the work assignment which may result in incurring an estimated \$20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The EPA WACOR will then prepare approval internal paperwork for the event and will advise the contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

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PERFORMANCE WORK STATEMENT CONTRACT EP-C-11-009 WORK ASSIGNMENT 5-20

TITLE: National Pretreatment Program Support

WORK ASSIGNMENT CONTRACTING OFFICER'S REPRESENTATIVE (WACOR):

Jan Marie Pickrel	USPS Mailing Address	Courier Address
Phone: (202) 564-7904	Water Permits Division	EPA East Building
Fax (202) 564-6431	1200 Pennsylvania Ave., NW	1201 Constitution Ave., NW
Pickrel.jan@epa.gov	Mail Code 4203M	Room 7329H
	Washington, DC 20460	Washington, DC 20004

PERIOD OF PERFORMANCE: January 1, 2016 through June 30, 2016

PURPOSE: The Water Permits Division (WPD) within the Office of Wastewater Management (OWM) is responsible for the development and implementation of the National Pretreatment Program, which is a component of the National Pollutant Discharge Elimination System (NPDES) program. This program and its regulations address requirements for, and oversight of, Publicly Owned Treatment Works (POTWs) and Industrial Users (IUs) who introduce pollutants into POTWs, as well State programs to oversee the POTWs and IUs. Recent activities affecting the Pretreatment Program include a program evaluation conducted by the Environmental Protection Agency (EPA) Office of the Inspector General, to which OWM committed to the development of oversight strategies, regulation revisions in 2005, and standards and regulations proposed which affect certain IU sectors.

OBJECTIVE: This work assignment will provide a broad base of technical and administrative tools to support EPA's implementation of the Pretreatment Program Regulations (40 CFR 403). Contractor support shall provide resources needed to support EPA and its State partners in the development of guidance, fact sheets, and case studies, and the development of briefings and training opportunities. These tools will advance OWM's communications and outreach, enabling a more informed public to comply with regulatory requirements.

TASKS:

<u>Task 1: Rule Revisions Follow-up Activities: Guidance Manual Update and Informational</u> Brochure Development [3.10, 3.21]

EPA revised the General Pretreatment Regulations at 40 CFR Part 403 ("Streamlining", 70 FR 60135, October 14, 2005). Additional regulation promulgations, such as the NPDES Electronic Reporting Rule (80 FR 64064, October 22, 2015), have also revised the General Pretreatment Program Regulations, Consequently, EPA continues to review existing guidance manuals and prioritize them for updating in order to ensure consistency with current regulation and policy. The Office of Wastewater Management (OWM), also, in support of effluent limitation development for both NPDES Permits and IU Control

Mechanisms, works with other Agency Offices to communicate results of studies, the development of new analytical methods and the use of monitoring tools. For example, OWM may summarize the results of an Office of Water/ Office of Science and Technology (OST) industry sector "detailed study" conducted as part of the Effluent Guidelines Program Plan into an informational brochure of approximately 5 pages in length to help permit writers or to improve potential permittees' understanding of their regulatory responsibilities. Similarly, EPA might compile a set of "Frequently Asked Questions" into a document for publication.

For this task, the contractor shall support EPA by:

- For all documents:
 - o Participating in EPA workgroup conference calls, collecting and compiling written comments and verbal comments received during the conference calls;
- For documents selected for revision:
 - o Reviewing the existing manuals and identifying provisions that have been the subject of regulation or policy change since publication.
 - Recommending draft text to incorporate new regulation and policy change into the draft manuals;
- For documents that have received comments:
 - Recommending text to address comments received within 2 weeks of receipt of comments;
 - o Editing the draft documents to incorporate EPA's decision on the recommended ways to address received comments within 3 weeks of EPA direction.
 - o Following receipt and incorporation of edits from EPA management review, the contractor shall process final document for webposting.

<u>Subtask 1A</u>. Document updates are currently in various stages of completion: some document updates are being drafted, some are in draft form and being reviewed by stakeholders and managment, and some are being finalized after resolution of received comments. Documents #1 and #2 are "over-arching" general programmatic documents that may need additional edits as the other documents (further down on the list below) are updated and revised:

- 1. Procedures Manual for Reviewing a POTW Pretreatment Program Submission ("Procedures Manual" update to October 1983 document) —In Option Period 2, TetraTech incorporated draft responses to comments received from EPA Regional staff and State Coordinators. This draft was submitted to EPA WACOR by email dated 12/3/2013. EPA WACOR is currently reviewing the draft document. Contractor will revise this draft document, as needed, to ensure agreement with associated topics discussed in the documents below, as those documents are queued for update and revision.
- 2. <u>Guidance Manual for POTW Pretreatment Program Development</u> ("Development Manual" update to October 1983 document) –*EPA is currently reviewing draft revised document, in preparation to begin solicitation of stakeholder comments. EPA currently expects to conduct comment solicitation in stages [first EPA and states, followed by NACWA].*
- 3. <u>Multijurisdictional Pretreatment Programs Guidance Manual</u> ("MJA Manual" update to June 1994 document) Draft document shall be submitted to EPA by March 4, 2016. EPA will solicit comments from stakeholders, including whether to incorporate within Documents #1 and #2 or maintain as solely separate document.
- 4. Guidance for Developing Control Authority Enforcement Response Plans ("ERP Manual"

- update to September 1989 document) draft document to EPA by April 1, 2016
- 5. <u>Industrial User Inspection and Sampling Manual for POTWs ("Inspection of Manual")</u> update to April 1994 document) –EPA has reviewed the draft document and will soon start receiving comments from stakeholders. Contractor will support EPA by compiling comments received and incorporating revisions as necessary.
- 6. <u>Guidance Manual for the Control of Wastes Hauled to Publicly Owned Treatment Works</u> ("Hauled Waste Manual" update to September 1999 document) EPA is currently reviewing draft document. Contractor will revise this draft document, as needed,

Subtask 1A Deliverables: Recommended revisions to address EPA's comments within 10 days of EPA's comments; revised final documents within 3 weeks of WACOR concurrence in suitable format for publication, and website posting.

Subtask 1B. The contractor shall develop 2 or 3 short informational brochures (e.g., "Frequently Asked Questions" [FAQs] format or case study reports), approximately 5 pages length, designed to help NPDES permit writers and Pretreatment Program Coordinators on a variety of topics pertinent to program implementation, typically by reformatting previously published materials (e.g., excerpting preamble language from a published regulation on a particular topic). Example subjects might include recent changes in the federal regulations, recent studies completed on particular industry sectors as part of the Effluent Guidelines Program Plan (Clean Water Act Section 304(m)), or revisions to wastewater analytical methods. The contractor shall also support EPA in minor editing of existing brochures and other reporting forms, as issues may be identified in them that need clarification or correction.

Specific topics identified at this time include:

- 1. Compilation of questions received during Pretreatment 101 training webinars into FAQs format that may be appended to documents of Subtask 2A: EPA is currently reviewing draft FAQs for webinars to date and will send comments to Contractor with the new work assignment issuance. As additional webinars are produced, Contractor will compile questions received support EPA by drafting responses based on existing regulation, preamble, guidance, in question/answer [FAQ] format.
- 2. Technical information reports on how wastewater regulations apply to specific industry sectors or pretreatment program implementation. EPA is currently reviewing the compilation of discussions in the EPA preamble, regulation, and guidance regarding trucked-in waste to POTWs for enhancement of energy production [commonly referred to as "anaerobic digester cogeneration"].

Upon receipt of comments from EPA, Contractor shall submit revised draft-final version of document to EPA within 3 weeks of EPA comments.

Final documents shall be formatted in Adobe Acrobat, suitable for posting on the EPA website.

Task 2: EPA-Regional and State Technical Activities Support [1.1.3, 1.2]

Subtask 2.A. Audits and Inspections: The contractor shall support EPA in conducting on-site program reviews and more formal program "audits" or inspections of States and/or POTW Pretreatment programs [Pretreatment Compliance Audit or PCA, and Pretreatment Compliance Inspection or PCI,

respectively]. Inspections shall include an assessment of the extent to which States, POTWs or industrial discharges to POTWs, are complying with requirements in approved Pretreatment Programs, POTW National Pollutant Discharges Elimination System (NPDES) Permits and IU permits, State and federal regulations. The contractor shall follow the procedures outlined in the EPA audit guidance manual, preparing forms and a narrative summary. See Control Authority Audit Checklist and Instructions (EPA #833/B-10-001, February

2010) http://www3.epa.gov/npdes/pubs/final_pca_checklist_and_instructions_%20feb2010.pdf and updates, and also Form 3560. For Pretreatment Compliance Inspections (PCIs), the same general procedures are followed, except that certain program elements (e.g., legal authority review, local limits development) are identified by the EPA Regional coordinator per site for exclusion from the overall review.

EPA or the State will furnish the contractor with background documents (POTW permit and fact sheet, annual report, prior audit report) particular to each POTW Pretreatment Program, with which the contractor is expected to be familiar prior to the audit/inspection. Such familiarization is expected to take approximately 8 hours of collective staff time prior to each audit. The contractor shall not conduct any sampling or analysis of POTW or industrial user influent or effluent, nor statistical sampling.

The contractor is advised to calculate its manpower and cost requirements based upon the following projections

• Review approximately 4 small to medium POTW pretreatment programs (< 15 Significant Industrial Users (SIUs) at locations to be identified, pending funding.

A PCA of this size would typically require two experienced technical employees (contractors) each, whereas a PCI is more abbreviated (as described above). The EPA WACOR will identify specific locations, and any specific dates, upon coordination with State and EPA Regional Coordinators.

Subtask 2A Deliverables: Draft audit/inspection report due within 30 days of conducting onsite activities. Draft report will be revised and finalized within 10 days of the EPA WACOR providing comments to Contractor.

Subtask 2B. Program reviews: The contractor shall support EPA's assistance to States and Regions in examining received reports or other programmatic matters, typically as a more in-depth analysis of a single programmatic element within a review conducted as part of Subtask 3A, above. Typical documents for review include an industrial waste survey, a local limits development package, or a local ordinance review. Contractor is advised to calculate manpower and cost requirements based upon projections for:

- 2 surveys [1 in Region 8, 1 in Nevada];
- 2 Enforcement Response Plan reviews;
- 1 Local Limits reviews;
- State Codes (e.g., Nebraska)

<u>Subtask 2B Deliverables</u>: Draft program review summary, within 30 days of written technical direction to begin the effort. Draft reports will be revised and finalized within 10 days of the EPA WACOR providing comments to Contractor.

<u>Subtask 2C. Meeting Support, Conferences, Training, Webcasts</u>: The contractor shall support EPA in conducting training on pretreatment and municipal wastewater topics. [6.0]

- 1. General Meeting and Training Support shall include procuring conference space, compiling and updating already developed training materials or developing specialized training materials for a particular program subject or area (e.g., Centralized Waste Treatment regulation implementation, evaluating oil & grease BMPs, specific pollutant treatment efficiency, energy and watershed water conservation techniques-including green infrastructure and POTW energy efficiency), drafting proposed agenda following conference call with EPA, registering students for the training, compiling handout materials for students, presenting materials (as part of a team of EPA, state, and municipal representatives). In addition, depending on the specific training event and topics, the bulk of the student handout materials may be provided via CD or download, instead of notebooks of paper. The contractor shall participate in a conference call within 30 days of work assignment effective date to discuss details of what specific support is needed. The contractor is advised to calculate its manpower and cost requirements based on training support expected for:
 - 2 events of 1-2 day duration at EPA-Regional offices, for approximately 30 personnel each, on general introduction to pretreatment program topics;
 - 3 events of 1-2 day duration for approximately 100 municipal and state employees, coordinated with EPA Regional pretreatment staff, on general pretreatment program topics. One of those 3 events is already scheduled for March 1, 2016, in Riverside, CA, for which the Contractor shall support EPA by providing agenda development, presentation materials, and instructors (no conference space or audio-visual needs necessary).

Contractor shall give preference to no-cost local municipal or state or federal facilities for conference space before contracting with conference space for cost. Hotel "block of rooms" for participants shall only be needed to be reserved for the Regional events, and location will be communicated to Contractor by EPA COR after consultation with applicable EPA Region staff.

- 2. Training Compendium of EPA and State developed training modules, including webinars, shall be stored and maintained by the contractor, to include the developed materials (prepared to support a particular training session) and other modules provided by EPA. The Compendium shall be retained for use by EPA to conduct similar training at another time and place. The developed training modules will typically be provided and maintained in Microsoft PowerPoint format, to be submitted to EPA on CD for use in future venues by the end of the period of performance. For webinars, per webinar, the compendium packet shall include: copies of slides, transcripts, all "resource materials" available for download during the broadcast, and questions received/answered.
- 3. The EPA WACOR will identify 2 topics which the contractor shall develop (or convert an existing topic) into a training module format (typically Microsoft PowerPoint compatible), and provide webcast support. The Webcast for the Pretreatment 101 Series has not be scheduled as of yet, and may be spaced equally throughout the period of performance, as long as all are completed by end of period of performance. For planning purposes, the Contractor shall assume

that a webinar will be approximately 2 hours in length and may be 'attended' by 1000 connections and shall be archived and posted with access on the EPA website for future viewing.

Topics will be determined during scheduled conference calls with the EPA WACOR within 10 days of work assignment issuance. Anticipated topic area is a continuation of the Introduction to Pretreatment series begun in September 2010, and may include more specialized technical topics. Anticipated "Pretreatment 101 Series" topics for this period of performance include:

- a. Calculating Permit Limits for Industrial Users
- b. Legal authority, Multi-jurisdictional Agreements, and Enforcement Response Plans
- c. 40 CFR 403.12(j) and (p)

Subtask 2C Deliverables: The contractor shall participate in a conference call with the EPA WACOR within 30 days of the work assignment's effective date; agenda and presentation materials by training event date; summary of event evaluations within 10 days following the event. The contractor shall provide updated draft training course materials within 10 days of written technical direction to begin the effort; finalized training course materials and compilation of student handouts by training date. The contractor shall provide an update to the Training Compendium within 2 weeks of training event and posted on the Pretreatment Quickplace (or SharePoint, the EPA replacement to Quickplace). The contractor will be responsible for providing staff support for the following items:

- Set up call date, identify necessary equipment and assist EPA in making appropriate reservations for webinar.
- Work with EPA to get the Announcement for the webinar posted on an EPA webpage.
- Assist EPA in Notifications/Advertisement of Webinar.
- Work with EPA to finalize slides and arrange for recording and archiving of the webinar on an EPA webpage.
- Support for EPA in archiving webinars in a file format consistent with posting on EPA's webpages in Drupal (e.g., OneEPA Web YouTube requirements).
- Assist in setting up and managing enrollment for the webinar using the appropriate designated EPA platform (e.g., EventBrite), support for managing registration of participants and providing webinar logistics.

Task 3: EPA National Program Implementation Support [1.2]

The contractor shall provide general program support for a variety of technical and administrative activities. The contractor shall:

Subtask 3A. Support EPA's Oversight activities and Data Management [4.1, 4.2, 4.3]. Oversight Activities. EPA has developed permit quality checklists for use in reviewing NPDES permits issued to POTWs and IU permits (http://water.epa.gov/polwaste/npdes/basics/NPDES-Permit-Quality-Review.cfm). EPA is currently transitioning this task to Regional staffs; the contractor shall support EPA in amending the checklists to contain implementation instructions for this transition. For states where EPA is the Pretreatment Program Approval Authority, the contractor shall support EPA in

reviewing NPDES and industrial user permits as part of the Permit Quality Reviews ("PQR") in order to recommend ways to improve permits' and accompanying documents' enforceability. The contractor shall draft Pretreatment PQR reports that characterize permit quality (consistency with requirements, deficiencies in documentation, etc.) using a format provided by the EPA WACOR, report on compliance activity status (typically obtained from Integrated Compliance Information System (ICIS) download reports to identify audit and inspection frequency, per http://www2.epa.gov/sites/production/files/2013-09/documents/npdescms.pdf) and subsequent updates, status of implementing current regulations (i.e., "Streamlining" revisions of 2005). Reports will also include "talking points" that describe the Pretreatment Program (number of approved programs, number of industrial users, etc.)

Regions/States anticipated for calendar year 2016 include the following projections:

R1	Maine [fourth quarter] • Massachusetts/New Hampshire [drafted in 2015 – maybe follow- up work]	R6	Arkansas [Nov 2015 – maybe follow-up work] Louisiana or Texas [end of FY2016]						
R2	New Jersey [fourth quarter]	R7	Kansas [March/April 2016]						
R3	Virginia [Spring 2016]	R8	Montana [February/March 2016]						
R4	Tennessee [Dec 2015 – maybe	R9	Nevada [fourth quarter]*						
	follow-up work]								
	South Carolina or Mississippi								
	[May 2016]								
R5	(none identified yet)	R10	Oregon [fall 2015- maybe follow-up work]						
			Washington [September 2016]						
• =S	• =State Pretreatment Program not approved								

Subtask 3A Deliverables: Draft Pretreatment PQR report by due date identified by work assignment manager [per program lead in other OWM Branch]. The contractor shall edit the draft documents to incorporate EPA's comments within 2 weeks of receipt of EPA's comments.

Subtask 3B. Data Management. EPA developed a draft-final Pretreatment Data Entry Guidance for EPA database ICIS-NPDES]. EPA issued the NPDES Electronic Reporting Rule on October 22, 2015 http://www2.epa.gov/compliance/final-national-pollutant-discharge-elimination-system-npdes-electronic-reporting-rule. The first step in receiving reports electronically requires entry of "facility level data", permit limits information, and other system required elements into ICIS-NPDES. EPA has developed a compliant discharge monitoring report [DMR] form called Net-DMR, and guidance, for use by EPA and States.

- 1. If clarifications of the data entry guidance are determined by EPA to be necessary, the contractor shall support EPA to revise the guidance within 30 days after an issue has been identified. The Contractor is advised to calculate its manpower and cost requirements based upon projection of only 2 revisions during the period of performance.
- 2. The contractor shall support EPA by conducting downloads in Excel or similar spreadsheet format from ICIS-NPDES of pretreatment statistical data to send to State and EPA Regional personnel to facilitate State and EPA Regional data review and correction. The Contractor is

- advised to calculate its manpower and cost requirements based upon projection of only 6 downloads for the period of performance.
- 3. With the promulgation of the NPDES Electronic Reporting Rule (October 22, 2015, 80 FR 64064), Contractor support may be needed to support development of standardized annual reporting forms and instructions for POTWs (per 40 CFR 403.12(i)) and development of standardized sampling results reporting forms for industrial users (per 40 CFR 403.12(e) and (h)). Similar to Task 1, Contractor will participate in conference calls and summarize workgroup discussions.

Subtask 3B Deliverables:

- The contractor shall input data within 30 days of receipt from EPA.
- The contractor shall provide edits to the Draft Revised Data Entry Guidance due within 30 days after issue has been identified.
- The contractor shall provide data downloads from ICIS-NPDES within 30 days of EPA identification.

Subtask 3C. Support EPA on National Technical Issues. [3.9, 3.16, 3.28, 3.30]

The contractor shall support EPA in undertaking short turn-around library research efforts necessary to compile supporting information on other technical and administrative issues raised by stakeholders, Regions, States, on topics related to the existing pretreatment rules. Typical subtasks may involve: 1) a study of a particular industry sector (e.g., solar cell manufacturing) to determine whether its manufacturing process is subject to categorical standards, or 2) a study of NPDES Permits, and associated permits' supporting documentation, issued to POTWs to analyze the effectiveness of the NPDES Permit requirements to assess discharge quality from industrial users to the POTW system (for example, NPDES Permits issued to POTWs receiving food waste directly to digesters to both enhance energy production and beneficial reuse of sludge). The contractor shall submit draft reports which summarize the findings, which EPA may use the information to support development of informational brochures, to develop options for Pretreatment Rule revisions or policy evaluation, or in state and Regional reviews. Because it is impossible to identify exactly what research subtasks the contractor may be tasked to perform under this Task, the contractor should base its cost estimate on a requirement of one project of 60 level of effort (LOE) hours each to complete this Task.

Subtask 3C Deliverables: Draft technical report summary or Fact Sheet within 30 days of written technical direction to begin the effort. Final technical report or Fact Sheet within 10 days of submittal of comments from the EPA WACOR.

Subtask 3D. Support EPA communications and outreach [4.0, 4.6, 4.8, 5.0]:

- 1. Attend and summarize discussions from "monthly" conference calls with EPA Regional Pretreatment Coordinators and quarterly conference calls with State Pretreatment Coordinators. Summarize significant discussions (including from Listserver) when identified by EPA.
- 2. Enhance and maintain EPA Pretreatment Program listservers ("statepretcoord"), including support of SharePoint sites for the Pretreatment Program, and/or their successors;

- 3. Review and refresh approximately 3 policy and technical guidance for external distribution (e.g., conversion of EPA WordPerfect documents into Microsoft Word or Adobe Acrobat formats, editing, formatting).
- 4. Support conducting of archival webinars on specific topics (see Subtasks 3C and 4A) as part of training and discussion facilitation efforts.

Subtask 3D Deliverables: Draft conference call summaries within five working days of the call date. Revised webpages with 10 days of assignment to post. Draft revision to technical guidance within 30 days of written technical direction to begin the effort. Final technical report or Fact Sheet within 10 days of receipt of comments from the EPA WACOR.

Subtask 3E. Support NPDES Website Maintenance and Content

EPA has migrated the NPDES website into Drupal.

The following subtasks are to support the pretreatment program area in the routine maintenance of the content and to provide technical, or other, support to update, edit or draft program area content in accordance with OneEPA Web guidelines for Drupal, or other specifications as provided by the EPA WACOR and/or Alt WACOR.

Subtask 3.E.1.: NPDES Website Maintenance: Pretreatment Program

The contractor shall provide routine maintenance and provide technical support and upgrades for website applications, as needed, for the NPDES website.

The contractor shall provide routine maintenance by updating and maintaining Drupel webpages and developing, editing, and posting PDF files. Routine maintenance may include, but is not limited to posting content; adding or updating links; and the creation, development and posting of multimedia content such as text, audio, video, and images. Web page content and other information such as EPA contact information, FAQs, publications and links will be provided by EPA.

When maintaining the website, the contractor shall adhere to the following:

- Content and publications added to the NPDES website must be compliant with Agency standards, including 508 accessibility, metadata, and other published EPA Agency standards and requirements.
- All active and archived content shall be searchable by key word via EPA's Search Engine.
- Use of the current framework and structure of the NPDES website, until EPA provides a new template to be implemented.
- Work with EPA's National Computer Center (NCC) to move updated files to the production server, as appropriate.
- The metadata for each publication shall be stored in the database and displayed on the Publications pages.
- Audio files shall be created and compressed to EPA's current format (.mp3) and any new audio formats as they become available to facilitate the publishing of live audio stream.

- Multimedia image files that accompany text shall be produced and/or published using the OneEPA Web guidelines current format (.gif, .jpg (or .jpeg), .png). All images should include a caption that describes the image.
- New video files shall be compressed to EPA's current format (.mp4, .flv, .swf) or to new video format requirements, such as EPA's YouTube channel, as they become available (http://www.youtube.com/user/USEPAgov).
- The required metadata fields per EPA's web guidelines are:

HTML PDF
Title ("DC.title") Title

Description ("DC.description") Description (Subject)
Publisher ("DC.creator") Publisher (Author)

Keywords Keywords

Channel ("DC.Subject.epachannel")

Content Type ("DC.type")

Subtask 3.E.1.Deliverables: The contractor shall provide routine maintenance and technical support for the NPDES Website, specific program areas, as directed by the EPA WACOR and/or Alt WACOR. The "Recent Addition" sections shall be updated with new information. If applicable, eNOI pages shall be updated and accessible via the search engine. All new and updated website content will be approved by the EPA WACOR and/or Alt WACOR prior to the contractor publishing the content on the test server for final review and posting.

Subtask 3E.2: NPDES Website Content Support: Pretreatment Program

The contractor shall provide support in developing new content or web page(s) through technical direction by the EPA WACOR and/or Alt WACOR. The requested contractor support may include, but is not limited to, writing introductory content, editing existing content, reviewing content, identifying links, preparing new material, or providing recommendations to reorganize content. The contractor will be provided with more specific guidance and instruction on specific support tasks as appropriate. The contractor shall provide an LOE estimate for approval to the EPA WACOR and/or Alt WACOR before moving forward with the request.

The contractor will be provided access to the relevant portions of the WebCMS architecture tables, credentials needed to access the system, and access to the data and publications. The contractor will be provided with guidance and further instruction on how to update the website as needed.

The contractor shall provide to the EPA WACOR and/or Alt WACOR technical information and feedback on any issues that may arise during the web content support activities. The contractor shall coordinate with EPA's WACOR and/or Alt WACOR to obtain access identification to EPA's National Computer Center (NCC), as needed, to access the NPDESPUB TSSMS account and database.

Subtask 3.E.2.Deliverables: The development of new web content or web page(s) for specific NPDES program areas, as directed by the EPA WACOR and/or Alt WACOR. The "Recent Addition" sections shall be updated with new information. The contractor shall respond to requests from the EPA WACOR

and/or Alt WACOR for support of new, edited or revised content within 3 business days either with a written response or with a level of effort to complete the request.

Subtask 3F. Support EPA on Response to OIG

By report issued September 29, 2014, the EPA Office of Inspector General (OIG) issued "More Action is Needed to Protect Water Resources From Unmonitored Hazardous Chemicals", Report No. 14-P-0363. Contractor will support EPA to complete the Corrective Actions which the Agency has agreed to conduct: "Agency Response to Draft Report (Dated July 28, 2014)" on pages 21-24 of the referenced document: http://www2.epa.gov/office-inspector-general/report-more-action-needed-protect-water-resources-unmonitored-hazardous.

Support activities may include attending and summarizing workgroup conference calls, and drafting summary reports.

Subtask 3F Deliverables: Draft conference call summaries within five working days of the call date.

QUALITY ASSURANCE STATEMENT

QA Statement: EPA requires an approved QAPP whenever tasks involve the generation, distribution or use of environmental data which will be used, or has the potential for being used, in environmental decision making. Environmental data is information that describes environmental processes, locations or conditions, and health effects or consequences. It can be collected directly from measurements (primary data), produced from models, or compiled from other sources (existing or secondary data). Tasks 1, 2, 3A, 3D-F do not require a QAPP as these do not involve environmental data. Tasks 3B & 3C will need a QAPP if environmental data will be used. When it becomes apparent environmental data is to be used, an amendment to this Work Assignment shall be issued to include the preparation of a QAPP in the work plan.

OTHER REQUIREMENTS

Reporting

Progress reports shall be submitted in accordance with the reporting requirements of the contract. In addition, the contractor shall maintain contact with the EPA WACOR to advise of progress and problems. All documents shall be delivered in Word, Excel, HTML, and/or PDF format, as requested by the EPA WACOR. The contractor shall notify the EPA WACOR immediately when expenditures of 75% and 90% of the work assignment LOE or funding (including pipeline costs) are reached.

The contractor shall be prepared to submit for inspection copies of all work in progress any time as requested by the EPA WACOR. The contractor shall not release information or comments on works performed under this work assignment without the EPA WACOR's prior written authorization. Wherever practicable, all written materials submitted to EPA must be doubled-sided and on recycled paper. All computer disks submitted to the EPA WACOR shall be scanned for, and identified as free from viruses.

Travel

All travel shall be approved in advance by the Contract-Level Contracting Officer's Representative (CL-COR) and shall be in accordance with the contract. Travel is expected to occur for specifically Task 2.

Information Collection

All collection of information and data shall be in accordance with the Office of Water Quality Management Plan and OMB requirements under the Paperwork Reduction Act.

Meetings, Conferences, Training Events, Award Ceremonies and Receptions

All appropriate clearances and approvals required by Agency policy in support of any and all conference related activities and expenses, including support of meetings, conferences, training events, award ceremonies and receptions, shall be obtained by the EPA CL-COR as needed and provided to the Contracting Officer. Work under conference related activities and expenses shall not occur until this approval is obtained and provided by the CL-COR.

Conference / Meeting Guidelines and Limitations

The contractor shall immediately alert the EPA WACOR to any anticipated event under the work assignment which may result in incurring an estimated \$20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The EPA WACOR will then prepare approval internal paperwork for the event and will advise the contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

Task Deliverables Summary Due Date Task 1.A General 1. Recommend text to address comments received 1. Within 2 weeks of receipt of comments from EPA 2. Edit draft documents to incorporate EPA decision on recommended text 2. Within 3 weeks of EPA decision Task 1.A Specific Document Tasks Document #3 - Multijurisdictional Pretreatment Programs Guidance Manual:		Table: Deliverables Schedule										
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Task 2.C.3: Webinars	3 Introductory Pretreatment Webinars	Completed before June 2016
Task 3A: Continued Oversight Activities	1. Draft PQR Report	1.Dates of PQRs are assigned by other office in OWM and then communicated by EPA WACOR to Contractor
	2. Edits of draft PQR Report	2. Within 2 weeks of receipt of EPA comments.
Task 3A: Oversight Activities	Summary of comments received and recommended resolution Conference call summaries	1. Within 2 weeks of receipt of comments
	3. Edits of documents into draft final versions for management review	2. Within 5 working days of conference call3. Within 3 weeks of EPA concurrence on decided revision.
Task 3B: Data Management Strategy	 Data Entry Edits to Draft Revised Data Entry Guidance. PCS & ICIS downloads 	1. Data Entry within 30 days of receipt of forms from EPA 2. Edits submitted within 30 days of EPA WACOR comments to Contractor 3. Downloads within 30 days of EPA request
Task 3C: Short term research on national technical issues	 Draft technical research report summary or Fact Sheet Final technical report or Fact Sheet 	Within 30 days of technical direction to begin Within 10 days of WACOR comments to Contractor
Task 3D: EPA communications and outreach	 Conference call Summaries Revised/posting of documents on website Editing to existing technical guidance Final technical guidance revision (of #3) Webinars 	1. Within 5 working days of Call date 2. Within 10 days of assignment to post 3. Within 30 days of technical direction to begin effort 4. Within 10 days of EPA WACOR comments to Contractor 5. Before June 30, 2016.
Task 3E: OIG Report Support	1.Conference call Summaries	1.Within 5 working days of Call date

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Performance Work Statement Contract EP-C-11-009 Work Assignment 5-21

Title: USEPA Region 2 NPDES Program Support

Work Assignment Contracting Officer's Representative (WACOR):

Ms. Sieglinde Pylypchuk Clean Water Division U.S. Environmental Protection Agency, Region 2 290 Broadway - 24th Floor New York, N.Y. 10007 Telephone: (212) 637-4133

Alternate Work Assignment Contracting Officer's Representative (Alternate WACOR):

Ms. Maureen Krudner Clean Water Division U.S. Environmental Protection Agency, Region 2 290 Broadway - 24th Floor New York, N.Y. 10007 Telephone: (212) 637-3874

Period of Performance: January 1, 2016 to June 30, 2016

Background:

National Pollutant Discharge Elimination System (NPDES) permits in the Commonwealth of Puerto Rico are issued by the U.S. Environmental Protection Agency (EPA) Region 2. In New Jersey and New York, the NPDES program is implemented by the state through a State Pollutant Discharge Elimination System (SPDES) program managed by the State of New Jersey Department of Environmental Protection and the New York State Department of Environmental Conservation, respectively. In the U.S. Virgin Islands, the NPDES program is implemented by the territory through a Territorial Pollutant Discharge Elimination System (TPDES) program managed by the U.S. Virgin Islands Department of Planning and Natural Resources. EPA Region 2 oversees the SPDES and TPDES programs and provides technical assistance to states. Through the completion of the Tasks described in this Work Assignment, EPA Region 2 will be able to provide more effective oversight and technical assistance to state programs and help reduce the Puerto Rico NPDES permit backlog.

The objective of this Work Assignment is to provide NPDES program support to EPA Region 2 for permit issuance in Puerto Rico and SPDES program support in New York, New Jersey and the U.S. Virgin Islands.

SCOPE OF WORK

The Contractor shall develop a Work Plan for each of the tasks listed below. The Contractor shall initiate a telephone conference call with the EPA Work Assignment Contracting Officer's Representative (WACOR) to clarify any issues before the final Work Plan is submitted. The WACOR shall document the above referenced telephone conference.

This Work Assignment does not require any laboratory analysis or field sampling.

Description of Tasks

Task 1. Puerto Rico Municipal Separate Storm Sewer System (MS4) Stormwater Management Program Support.

Task 1a. The Contractor shall finalize the webinar training in Spanish developed as part pf WA-4-21 of this Contract. The Contractor shall assist EPA in hosting and leading the webinar training in Spanish.

The Contractor shall make any requested edits and finalize the training slides and other materials developed as part of WA-4-21 regarding the Puerto Rico Small MS4 permit (PRR04000), to be issued in 2015. The Contractor shall assist EPA in using the slides and materials to conduct training by webcast to owners and operators of Municipal Separate Storm Sewer System within urbanized areas in Puerto Rico. EPA will provide the audio teleconference line for the webcast. The webcast will not be recorded and is expected to last no more than two hours.

Task 1b. The Contractor shall complete the Stormwater Management Program template based on the Puerto Rico Small MS4 permit. The draft template was developed during WA-4-21 and will be finalized during WA-5-21.

The Contractor shall *complete the* Stormwater Management Program template based on the Puerto Rico Small MS4 permit. The purpose of the template is to help MS4s develop/update Stormwater Management Program that are consistent with the 2015 Small MS4 General Permit. Use of the template will ensure that all the elements required in Part 2 of the 2015 Small MS4 GP are addressed in the Stormwater Management Program.

The template will be designed for use by all MS4s eligible for coverage under the 2015 Small MS4 General Permit. The template will not be tailored to an individual, specific MS4. The template will include the requirements for different types of MS4s (conventional/non-conventional), will address the Stormwater Management requirements outline in Part 2 and Part 4-6 of the permit and will allow the user to customize the requirements to their specific MS4.

Upon Work Assignment approval, EPA shall provide the Contractor with:

• Written comments on the draft template developed during WA-4-21,

• Any additional information necessary for the development of the Stormwater Management Program template.

Task 2. Green Infrastructure in Trenton, NJ.

A majority of Trenton, New Jersey, like more urban communities is covered with impervious surfaces. These surfaces generate stormwater runoff that can lead to localized flooding in many areas of the city. Despite being serviced mainly by a separate storm sewer system, sections of Trenton are also serviced by a combined sewer system, which carries both stormwater and sanitary sewage. During rain events, untreated sewage can discharge into the Delaware River or can back up into streets or onto private property. In an effort to alleviate these issues, the City of Trenton is interested in developing a municipal-wide green infrastructure initiative. Green infrastructure captures, filters, and absorbs stormwater, mimicking pre-development hydrology; green infrastructure projects can also capture and store rainwater for re-use. Some examples of green infrastructure are bioretention systems, green roofs, porous pavements, rain gardens, vegetated swales, tree trenches, rain barrels, and cisterns.

The green infrastructure initiative is intended to address several environmental concerns, including but not limited to reducing wet weather runoff, managing vacant properties, reducing combined sewer overflows (CSOs) and localized flooding, addressing the impact of brownfields on community health, supporting grassroots community garden efforts, and upgrading aged infrastructure. Currently, the New Jersey Department of Environmental Protection, the City of Trenton and various community groups have begun working together to encourage the implementation of city-wide green infrastructure through the formation of a Municipal Action Team. In order to move this green infrastructure initiative forward, the City of Trenton is requesting that a contractor complete a green infrastructure feasibility study. It is hoped that the development of a green infrastructure feasibility study will be the first step for the city to garner wide-scale support for implementing green infrastructure to improve the quality of life for its residents.

The Contractor will help the State, City and community groups start to develop the feasibility study by identifying localized flooding locations across the city and identifying the drainage areas that impact these locations.

Task 2a. The Contractor shall identify localized flooding locations within the City of Trenton.

The Contractor shall collaborate with the City of Trenton (Division of Planning, Public Works Department, and the Trenton Sewer Utility), the New Jersey Department of Environmental Protection, and community groups selected by the City to identify and prioritize particular areas within the City where localized flooding has proven to be an issue.

Collaboration will occur through a series of teleconferences and/or videoconferences with interested parties. The contractor will provide a narrative report describing the information used, the collaborative process and the location of the prioritized areas.

Task 2b. The Contractor shall identify the drainage areas flowing to the sites identified in Task 2a, as well as any other impacts that may contribute to flooding.

The Contractor shall collaborate with the City of Trenton (Division of Planning, Public Works Department, and the Trenton Sewer Utility), the New Jersey Department of Environmental Protection, and community groups selected by the City to review, analyze, calculate, and delineate the drainage areas flowing to the sites identified in Task 2a, as well as any other issue that may contribute to the flooding problem. The analysis shall include land use coverages, slopes, and any other information that may be needed to ensure the accuracy of the drainage area identification.

Collaboration will occur through a series of teleconferences and/or videoconferences with interested parties. The deliverable will be a GIS compatible overlay delineating the drainage areas of the prioritized flood locations.

Upon Work Assignment approval, EPA shall:

- Schedule an initial telephone call with NJDEP, Trenton, and EPA R2 to discuss the goals, objectives and process of this Task,
- Provide any additional information necessary to begin work on this Task.

Task 3. The Contractor shall provide additional NPDES program support, as needed.

The Contractor shall, if necessary, provide user support for the Puerto Rico Reasonable Potential Tool, update the Puerto Rico NPDES permit and fact sheet templates, provide technical support for NPDES permit writers, and draft individual Puerto Rico NPDES permits and fact sheets, using the templates, to assist in the reduction of the Puerto Rico permit backlog.

The Contractor shall also, if necessary, provide user support for the U.S. Virgin Islands Reasonable Potential Tool, update the U.S. Virgin Islands NPDES permit and fact sheet templates and provide technical support to U.S. Virgin Islands permit writers.

The Contractor shall also, if necessary, provide technical support to EPA staff conducting oversight activities for the authorized SPDES programs in New York and New Jersey. Including, if necessary, a comprehensive review of four draft New Jersey MS4 general permits using the State MS4 Permit Quality Review Checklist and document provisions in the draft permit that are less stringent than the corresponding federal regulations and guidance.

Deliverables

All deliverables and any supporting documents shall be provided to the WACOR electronically. All final deliverables (unless otherwise specified) shall be prepared utilizing Microsoft Office (i.e. Microsoft Word, Microsoft Excel) software.

- 1. Within seven (7) days of Work Assignment issuance, the Contractor shall initiate a teleconference with the WACOR to ask questions, seek guidance, or ask for clarification on any points necessary for meeting the Task described in this Work Assignment.
- 2. Within fifteen (15) days of Work Assignment issuance, the Contractor shall submit a Work Plan for Task 1 through Task 3.
- 3. The Contractor shall conduct the final Puerto Rico MS4 webinar training and submit the final Stormwater Management Program template, as described in Task 1, no later than June 30, 2016.
- 4. The Contractor shall submit the final deliverable prioritizing the identified flooding locations in Trenton, as well as the identified drainage areas, as described in Task 2, no later than June 30, 2016.
- 5. The Contractor shall, if requested, complete all NPDES program support actions and submit any requested documents, as described in Task 3, no later than June 30, 2016.

ESTIMATED LEVEL OF EFFORT

This Work Assignment has an estimated level of effort not to exceed 374 hours.

OTHER REQUIREMENTS

Reporting

All deliverables shall be submitted in accordance with the reporting requirements of EPA Contract EP-C-11-009. At minimum, the Contractor shall maintain contact with the WACOR on a monthly basis during the performance period to advise her of progress and problems. All deliverables under this Work Assignment shall be delivered in a Microsoft Office and/or PDF format, as requested by the WACOR. The Contractor shall notify the WACOR immediately when expenditures of 75% and 90% of the LOE or funding (including pipeline costs) are reached.

The Contractor shall submit copies of all work in progress as directed by the WACOR. The Contractor shall not release information or comments on works performed under this Work Assignment without prior approval from the WACOR. Wherever practicable, any hard copies of materials submitted to the WACOR must be doubled-sided and on recycled paper.

Travel

This Work Assignment does not include any travel.

QUALITY ASSURANCE STATEMENT

A quality assurance project plan (QAPP) is not required for this Work Assignment because the

deliverable products will be draft decision documents, permit and long-term control plan reviews, a standardized permit review tool, and additional NPDES program support in the form of technical assistance or draft permit documents. These deliverables will not involve the generation, management, distribution, or use of primary or secondary environmental data that will be used or have the potential for use in environmental decision making. The development of any NPDES permit documents and any calculations using environmental data will utilize the RPA Tools and be performed as specified in the EPA Headquarters approved Quality Management Plan developed by Tetra Tech for EPA Contract EP-11-C-009, in accordance with contract requirements.

CONFERENCE/MEETING GUIDELINES AND LIMITATIONS

The contractor shall immediately alert the EPA WACOR to any anticipated event under the work assignment which may result in incurring an estimated \$20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The EPA WACOR will then prepare approval internal paperwork for the event and will advise the contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

PERFORMANCE SURVEILLANCE PLAN									
Performance Requirement	Measurable Performance Standards	Surveillance Methods	Incentives/Disincentives						
Management and Communications: During the life of this work assignment, the Contractor shall notify U. S. EPA immediately of any issues that may impact the timeliness of deliverables of the problems associated with the development of deliverables.	The Contractor shall maintain contact with the U. S. EPA WACOR throughout the performance of the work assignment. The contractor shall identify to the WACOR any delays with regard to deliverables not less than one week prior to the deliverable date that has been established in the work assignment or technical direction document. The contractor shall identify to the WACOR any issues or concerns that have a direct impact on project schedules within three (3) days of occurrence. The contractor shall provide options for U. S. EPA's consideration on resolving or mitigating the impacts identified.	U. S. EPA WACOR and CL-COR (as necessary) will allocate the time needed to discuss and address all issues identified by the Contractor. The U. S. EPA WACOR and CL-COR will document and maintain a complete record of the issues, agreements and outcome. The U. S. EPA WACOR and CL-COR will review monthly progress reports for indicators of problems not previously mentioned. The U. S. EPA WACOR will also monitor the timely receipt of deliverables. For those that are late without prior notice, the U. S. EPA will formally document to the Contracting Officer the late delivery.	If the contractor fails to implement corrective actions after U. S. EPA identifies and provided written documentation of performance issues, U. S. EPA will rate this performance category "unsatisfactory." If three or more the active work assignments for the period are rated unsatisfactory, U. S. EPA will rate the Business Relations category as unsatisfactory in the NIH Contract Performance System.						
Cost Management and Control: The Contractor shall perform all work in an efficient and cost effective manner, applying cost control measures where practical.	The Contractor shall monitor, track and accurately report level of effort, labor cost, other direct cost and fee expenditures to U. S. EPA through monthly progress reports and approved special reporting requirements. The Contractor shall assign appropriately leveled and skilled personnel to all tasks. The contractor should not exceed established work assignment ceilings and, in general, should expend dollars and hours at similar ratios. If either the expenditure of hours or dollars deviates significantly, the contractor shall provide an explanation in its Monthly Progress Report.	The U. S. EPA CL-COR will routinely meet with the Contractor's Project Manager to discuss the work progress and contract and individual work assignment level expenditures. The U. S. EPA CL-COR and U. S. EPA WACOR shall review the Contractor's monthly progress reports and request the Work Assignment Managers to ensure that ceilings are not exceeded, that progress is being made, and that the contractor is effectively utilizing the LOE provided under the work assignment.	U. S. EPA will thoroughly review work assignment funding ceiling overruns to determine the contractor's ability to control the situation. If U. S. EPA determines that the contractor failed to control cost, the contractor will be rated "unsatisfactory "in this category. Multiple incidents of work assignment overrun that result in an overall cost overrun of greater than 4% of the approved total work assignment funding for the current contract period, will result in an unsatisfactory rating in the NIH Contract Performance System.						
Quality of Product/Services \The contractor shall ensure documents developed under this task order are quality products that are factual and based on sound science and engineering principles.	Products delivered under this work assignment must not contain any major factual errors. The analyses provided in each product shall be logical, consistent, and defensible.	The U. S. EPA WACOR will review all documents delivered under this work assignment for content accuracy.	If U. S. EPA determines that the contractor's analyses is factually inaccurate or if significant technical errors are found in any documents produced by the contractor, U. S. EPA may determine that the cost associated with redoing the work shall be borne by the contractor. Multiple incidents of this nature under the contract will result in an unsatisfactory rating for Quality and Manage Control being reported to the NIH Contract Performance System.						

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Purpose: Work Assignment Work Assignment Close-Out							Period of Performance					
X Work Assignment Amendment Incremental Funding												
		Work Plan	Approval	, -				From 07/01/2016 To 10/31/2016				
Commer	nts:							1				
The purpose of this Amendment 1 is to extend the work assignment period of performance through October 31, 2016.												
Г	Superf	fund		Acc	counting and Appro	priations Data	ı			X	Non-Superfund	
10000000		**************************************	N	lote: To report additional a	accounting and appropri	ations date use E	EPA Form 190	0-69A.		9.	a seems and the engineers	
SFO Note: To report additional accounting and appropriations date use EPA Form 1900-69A. (Max 2)												
Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max		Program Element (Max 9)	Object Class (Max 4)	Amount (Do	ollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code	
1												
2												
3												
4												
5												
				Αι	ıthorized Work Assi	gnment Ceilin	g					
Contract Period: Cost/Fee: LOE: 01/01/2011 To 12/31/2016												
This Acti											4-	
											-	
Total:												
				W	ork Plan / Cost Esti	mate Approva	als					
Contract	or WP Date	ed:		Cost/Fee			LOE:					
Cumulati	ive Approve	ed:		Cost/Fee			LOE:					
Work Ass	signment M	anager Name	Sieglind	le Pylypchuk			Brar	ranch/Mail Code:				
		-	,	1 11				ne Number:		637-4133		
							FAX Number:					
Diversity Debin Descri							ranch/Mail Code:					
Bia						34.700 04.00	one Number: 202-564-1846					
							X Number:					
							-AX Number: Branch/Mail Code:					
		(Sians	ture)	(Dota)				Phone Number: FAX Number:				
								anch/Mail Code:				
6/40								hone Number: 513-487-2352				
12/8/2016								EAV Number:				